

## South Asian Progressive Action Collective – Chicago International Campaign for Justice in Bhopal – Chicago area

December 3, 2004

Twentieth Anniversary of the Bhopal Tragedy

James M. Ringler  
Member, Board of Directors, Dow Chemical Corporation  
Vice Chairman of the Board, Illinois Tool Works Inc.  
1490 Lake Road, Lake Forest, IL 60045

Dear Mr. Ringler,

We would like you to take a moment and imagine with us what must seem like a remote possibility to you. Imagine that you awake on this cold December night to the sounds of your children's coughing. You feel a stinging sensation in your eyes and experience difficulty breathing. You are confused as you stumble to try and locate the cause of your discomfort and hear shouts of panic coming through your windows. Imagine leaving your house and seeing neighbors and acquaintances all moving in a daze; vomiting, coughing and even urinating, as they try to move toward some type of safety. Imagine trying to reassure your children as you find yourself in this crowd of humanity suddenly leveled of all position, title and prestige.

These are horrendous images Mr. Ringler; and they are painful and traumatic memories for us to revisit as well; but they were a reality twenty years ago today for the residents of Bhopal, India when a 27 ton cloud of methyl isocyanate gas leaked from Union Carbide's pesticide plant in their city. It is believed that more than seven thousand people—more than one third of the total population of this town of Lake Forest—died in those first few ghastly nights after the leak. Since that night 20 years ago today, the residents of Bhopal have been forced to cope with a legacy of health, environmental and emotional devastation that is almost beyond reckoning.

Imagine if this had happened in your community here in Lake Forest Mr. Ringler. Imagine if you and your neighbors could not even get access to the composition and nature of the gases that leaked that night so that an appropriate medical strategy could be designed. Imagine if the site had never been cleaned up and left to rot and poison the drinking water of the surrounding community for nearly 20 years. Imagine if the company that operated the plant had never even bothered to appear in court to face the criminal charges and repeated court summons from your community. Mr. Ringler—what would be your sentiments today?

As a Director, you know that Dow Chemical Corporation acquired Union Carbide in 2001 well aware of that company's outstanding legal and moral liabilities in India and the scope of the disaster. In fact you served on the Board of Union Carbide Corporation since 1996 and are well aware of the fact that all the substantial safety, design and financial features of the Indian plant were guided by company officials here in the US. You are also aware that prior to merging with Union Carbide, fiduciary responsibility rules would have required Dow management to assess Carbide's environmental liabilities. Yet Dow Chemical refuses to take any responsibility for Carbide's outstanding Bhopal liabilities despite admitting in its 2002 Global Report that, "...we are aware of potentially significant legal risks associated with such actions." How can Dow Chemical claim a subsidiary's assets and not its liabilities? How can Dow Chemical claim industry leadership without accepting responsibility for Bhopal cleanup?

Dear Mr. Ringler we are bringing you these jhadoos, Indian brooms, that signify our demand that you instruct DOW chemical to clean up the Bhopal site and take responsibility for the your corporation's actions. These brooms are used by ordinary Bhopal residents to clean and protect their homes. In the last twenty years they have become symbols of the Bhopali peoples determination for justice.

You have an opportunity now Mr. Ringler, as a Director of Dow Chemical, to show moral and financial leadership. We urge you to raise this matter with Dow's top management and your fellow Board members and advise them to address Carbide's pending liabilities in Bhopal by:

- Cleaning up the poisoned groundwater and contaminated areas within and outside the factory;
- Releasing medical information about toxicity of methyl isocyanate (MIC) and poison gases, and arrange for long-term medical treatment and rehabilitation for survivors;
- Arranging for long-term economic rehabilitation of survivors whose livelihoods have suffered as a consequence of the disaster; and
- Produce Union Carbide to face trial in the ongoing criminal proceedings in India.

Eighteen members of the United States Congress, including Illinois Rep. Jan Schakowsky, agree with our appeal to you sir. In a letter to Dow Chemical in 2003, the Congressional members called your subsidiary, Union Carbide, an "absconder from justice" and described Dow Chemical's refusal to deal with the tragedy as a, "blatant disregard for the law." The Congressional members concluded in their letter to you and your fellow Board members that "The disaster in Bhopal continues, and is likely to worsen if Dow Chemical does not step forward to fulfill its responsibilities."

On November 29, Amnesty International issued "Clouds of Injustice" which described Dow's statements on Bhopal as "...misleading when it talks about its commitment to 'environmental integrity and social equity' when at the same time hundreds of thousands of people are still suffering from what happened in Bhopal." The next day, the New York Times reported that a current US court case may force Dow to clean up its subsidiary's toxic mess.

We expect that you will not allow this human travesty to continue any further. Please respond to us with your plans for discussion of this matter with your fellow board members. Thank you for consideration of our requests.

Please reply to:  
 Maneesha Bidani or Kamayani Swami  
 South Asian Progressive Action Collective - Chicago  
 sapac@sapacchicago.org

In memory of those who continue to suffer and struggle in Bhopal,

Jenny Mead - Chicago Jobs with Justice  
 + Labor Express Radio

Ashwini - NEW TRADE UNION INITIATIVE  
 NEW DELHI

Parvati - Rashmi Saraiya, South Asian Progressive  
 Action Collective

Ani Saraiya - Ani Saraiya, South Asian Progressive  
 Action Collective

Joseph DiGangi Environmental Health Fund

Sanji Boparai South Asian Progressive Action Collective

Velchandran

Ms. V. Chandra, New Trade Union Initiative, INDIA

Surbhi

GAKET SON, SAPAC

Akhone Palit