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Rail Roko (Stop the trains) December 3, 2011

ON DECEMBER 3rd, PLEASE DON'T TRAVEL BY TRAIN.
CHANGE YOUR RESERVATIONS NOW. WE ARE SORRY
TO CAUSE YOU INCONVENIENCE BUT STOPPING THE
TRAINS IS THE ONLY EFFECTIVE WAY WE CAN THINK
OF TO GET OUR URGENT AND IMPORTANT MESSAGE
THROUGH TO THE PRIME MINISTER & GOVERNMENT

Enquiries and updates: justiceinbhopal@yahoo.co.in

We are stopping trains to:

1. Get adequate compensation from Union Carbide Corporation and The Dow Chemical Company.
2. [What we have got is too little](#) and it has not had any deterrent impact on the corporation.
3. This is because [the government sold us out](#) in 1989 and let the corporation walk away.
4. Last year the government promised to make amends for its betrayal in 1989 by filing a Curative Petition.
5. The Curative Petition [massively downplays the number of deaths](#) and the severity of injuries – even though the government’s own figures show the true picture – and demonstrates that the government is keener to protect the interests of the American corporations than those of the victims.
6. The government is going against its own data to let the corporations get away once again with paying a pittance.
7. We have been trying to talk to the government about this issue for a year without any resolution.
8. We have tried other forms of popular protest but they have not moved the government enough.
9. That is why we are forced to take this step.
10. We hope you sympathise with our demand and appreciate that justice in Bhopal is a step towards toxic free future for all of us. You may not be a Bhopali survivor but you too have corporate toxins in your body. In that sense this is our common battle.

Rail Roko information segments



COUNTING THE DEAD



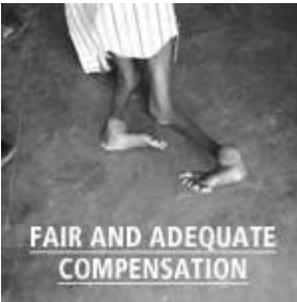
**GOVERNMENT ADVISOR
WARREN ANDERSON**



**WHAT IS THE VALUE
OF AN INDIAN LIFE?**



**FAIR AND ADEQUATE
COMPENSATION**



How the government underplayed its own figures



CLICK CHART TO ENLARGE

Before we start talking about numbers, please look at this photo. It was taken by the famous photographer Raghu Rai. He found these sacks in a storeroom at Hamidia Hospital, Bhopal. They are the skulls of people who died in the gas disaster. People look awfully alike when they're dead, but each of these once had a name, a face, a life, a family.

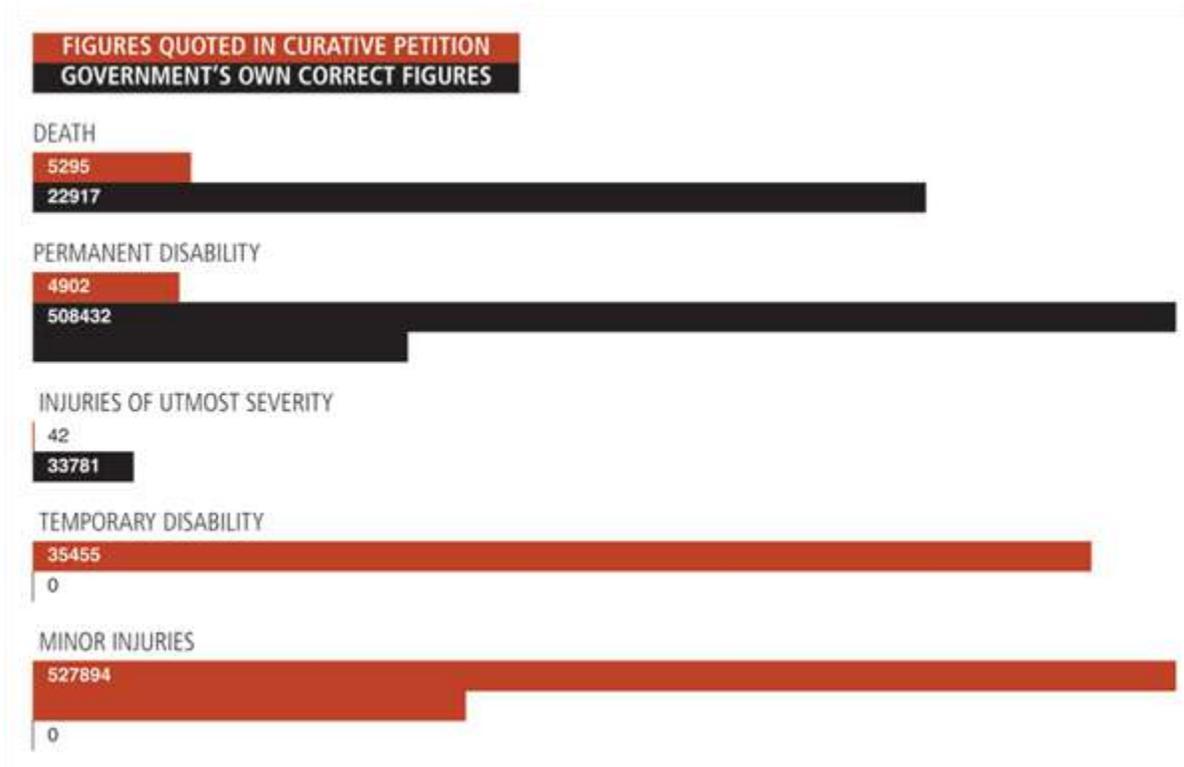
How many people really died in Bhopal? The truth is that we shall never know, because in the days immediately following the disaster, countless un-named victims were hastily buried in mass graves and cremated on huge pyres. Indian army trucks transported corpses to forests and rivers and dumped them there, or took them for mass burial in other cities.

The true death-toll may be much higher than anyone realises. [Read the testimony of Mohammed Karim](#), a municipal truck driver who worked at disposing bodies.

At the railway station a whole tribe of gypsies was encamped and every single one perished, men, women and children. Not one was left alive to say who they were, or what their names were. Their deaths were not counted. Many people couldn't prove the deaths of their family members because they lacked the requisite documents. One man lost sight of his young daughter in the stampede to escape the gas: he never saw her again, but without papers couldn't prove to the authorities that she'd ever even existed, leading to him into a kind of Kafkaesque nightmare.

Figures massaged to suit the American corporation

Knowing these things, let us now look at the figures given by the government in the Curative Petition, and compare them with the correct figures as derived from the Indian Council of Medical Research and other of the government's own agencies.



[CLICK CHART TO ENLARGE](#)

These figures do not include damage to the next generation of victims nor compensation for the contamination of water and consequent health injuries in communities of about 40,000 people.

The first betrayal

[As revealed on bhopal.net in July, top secret government documents show that it was actually Union Carbide which not only defined the categories of victims but even the amounts that should be awarded.](#)

Union Carbide was proposing a settlement within three months of the disaster. The Indian government of the day, keen to collude with the American corporation, adopted the injury categories Carbide had proposed, which of course suited the company. Union Carbide's definition of temporary injury conveniently covered 94% of the victims, nearly all of whom were people with injuries that would last all their lives. They were awarded Rs 25,000 or \$494.

Union Carbide further proposed a payment of Rs 1 lakh for each death and six years later this is the amount that the government actually paid the Bhopal victims.

Warren Anderson dictated terms to the Indian government

In a letter to Union Carbide stockholders on February 27, 1985, less than three months after the gas leak, Carbide CEO Warren Anderson wrote:

“In an earlier communication, we advised stockholders of counsel’s opinion that victims of the Bhopal tragedy could be fairly and adequately compensated without a material adverse effect on Union Carbide’s financial condition. We wish to reaffirm that opinion, and our belief that a prompt and equitable settlement is in the best interests of all concerned.”

How could Warren Anderson be so confident that a prompt and equitable settlement could be reached? Perhaps because he had already met Indian officials in Washington who encouraged him to take the initiative in proposing a settlement.

On February 28, 1985, one day after Anderson wrote to stockholders, top Carbide official Rolf H. Towe and Union Carbide India's managing director, V. P. Gokhale, proposed the negotiated settlement at a meeting with B. B. Singh, Secretary at India's Ministry of Chemicals and Fertilisers.

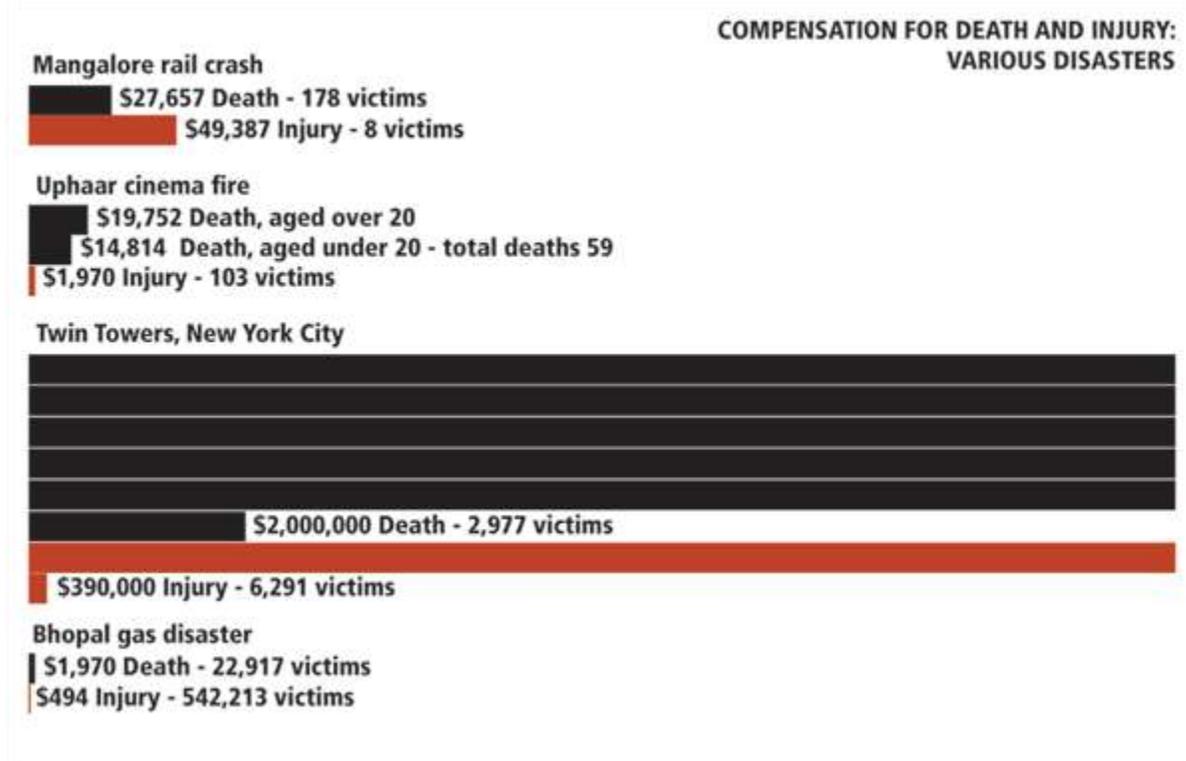
According to the minutes of the top secret meeting, the Carbide duo told Singh that Warren Anderson had already met the Indian ambassador in Washington to be told that “the Government of India had an open mind on the issue” but would like Carbide to take the first step. On March 4, Carbide duly made a formal proposal aimed at “avoiding protracted litigation in India or in the US by or on behalf of the claimants”.

The proposal envisaged “payment of a predetermined fixed sum or money by UCIL and UCC to the central government”. Carbide chose the Railways Act to fix the amounts to be paid for deaths and injuries, guaranteeing itself minimum financial loss. It also proposed categories of injury that were at best unscientific and at worst savagely cruel to the victims.

In this way, persons who have suffered incapacitating health problems every day for the last 27 years were classed as 'temporarily injured' and accordingly awarded a pittance.

What is the value of an Indian life?

Do you know how much the US corporation had to pay to its victims in Bhopal? Can you guess? First look at what was paid in other disasters:



[CLICK FOR LARGER IMAGE](#)

*** In the Mangalore air disaster, compensation extended to an offer of employment for one family member**

No one will forget the horror of September 11, 2001, when thousands of innocent people died in New York's Twin Towers.

The night of terror in Bhopal, where thousands died in horrible ways and more than half a million were injured, was no less horrific a human tragedy, but the value placed on the lives of two sets of innocent victims could hardly be in starker contrast.

The number of dead in New York was a tenth those who have died from gas-related injuries, but each American life was valued at more than a thousand times higher than a Bhopali life.

We don't begrudge the families of the New York victims their compensation, nor are our people asking for anything remotely like the same amount, but the sum the Bhopal survivors were paid was a pittance by any standards.

The \$494 they received, meant to last for the rest of their lives, hardly covered their medical bills in the first months. Over 27 years of suffering it comes to Rs 2.50 or 5¢ per day.

After Dow Chemical acquired Union Carbide a Dow spokesperson commented that [“\\$500 is plenty good for an Indian.”](#)

Another way of looking at it

\$2,000,000 Death - 2977 victims

CLICK FOR LARGER IMAGE

Fair and adequate compensation

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According to figures published by the Indian government's apex medical research organization, the Indian Council of Medical Research (ICMR), at least 20,000 people had died by 2009 from injuries caused by the gas leak. ICMR's research shows also that between 1984 and 1989 there were 3,500 spontaneous abortions as a result of gas exposure. These need to be taken into account. In the Curative Petition filed in the Supreme Court, the Indian government has ignored the findings of its own research agency and presented a ridiculously low figure of 5,295 deaths caused by the gas disaster.

Correcting the figures and fixing compensation

Category	No of cases as per Curative Petition	No of cases as per ICMR ²	1991 compensation amounts (INR)	Average ⁴	2010 compensation payable/person ⁵	Total compensation (INR & US\$)
Death	5295	22917*	100000-500000	300000	1464000	33550488000
Permanent Injury	4902	77239+447717 -16524 = 508432**	50000-200000	125000	610000	310143520000
Injury of utmost severity	42	34879-1098 =33781***	400000	400000	195200	65940512000
Temporary disability	35455	0				
Minor injuries	527894	0				
Total	573588	565130				379439080000
Total in Indian rupees and US dollars						Rs 37.943 crores \$8.1 billion

CLICK CHART TO ENLARGE

*Figures till 2009 including spontaneous abortions till 1989.

** Combined population (as per figures of 1984) currently with exposure induced illnesses in moderately and mildly affected areas less the number of exposure related deaths in these areas.

*** Population of severely affected area (as per figures of 1984) less number of deaths.

Categories not supported by ICMR's decadal study

1 Does not include injuries caused to next generation victims

2 Figures of resident population of severely, moderately and mildly affected area (as per figures in 1984) based on ICMR's decadal study on long term health impact

3 Range of compensation

4 Average of maximum and minimum compensation amounts

5 Compensation payable in 2010 adjusted for inflation (increase in CPI= 4.88)

These figures do not include damage to the next generation of victims nor compensation for the contamination of water and consequent health injuries in communities of about 40,000 people.