Fifteen Years After Bhopal, Lessons Learned But Not Exported

The following editorial written by Perry Gottesfeld was published in the Seattle Post Intelligencer, December 9, 1999

The world's worst industrial accident -- in Bhopal, India, 15 years ago -- has led to significant improvements in plant operations in the U.S. But, in developing countries where environmental safeguards are most needed, virtually nothing has changed.

Late on the night of December 2, 1984 a chemical release from a Union Carbide pesticide plant caused at least 6,500 deaths and an estimated 20,000 to 50,000 serious injuries.

The Bhopal accident brought lawmakers' attention to activities behind factory gates that can have significant impact on surrounding communities. Federal and state legislation to prevent chemical releases, prepare emergency evacuation plans, and warn communities of potential disasters were passed as a result of Bhopal. These measures have significantly decreased the potential for similar industrial accidents in the U.S.

A formal accounting of blame for the incident at the Bhopal plant was never conducted. However, what remains clear long after the chemical cloud dissipated is that double standards were employed in the design, maintenance and management by the U.S. company which constructed and ran the plant.

The Union Carbide plant in Bhopal was modeled after a similar facility in Institute, West Virginia. The Indian plant, however, was built with inferior controls to avoid accidental chemical releases, and was operated by a staff with far less experience and training than would be required in the U.S. Moreover, maintenance was poor, and even Union Carbide's own audit several years before the incident found dozens of safety hazards. On the night of the accident several safety devices, including a cooling system, were apparently disabled.

In 1986 Congress passed the Emergency Planning and Community Right to Know Act as a response to the disaster in Bhopal. This legislation forced companies to disclose information about the chemicals used and discharged from their facilities and to develop early warning systems to notify communities whenever a chemical release or accident was occurring.

Ironically, the legislation would have done nothing to avert the type of accident that occurred in Bhopal. Congress was not willing nor able to regulate environmental practices of U.S. companies operating abroad. So, while U.S. companies have invested millions in complying with environmental laws at home, they continue developing industrial manufacturing facilities in other countries where chemical release prevention and emergency response measures are not required. In fact, most of the developing world has not even begun to address their lack of environmental standards.

Where governments have failed to act, voluntary measures on the part of industry -- which were largely a response to Bhopal -- have also been ineffective. Vague standards of care and codes of conduct which are widely hailed by industry have done very little to change the situation in other countries.

As the global economy has expanded with more manufacturing operations moving to developing countries, multinational corporations benefit by employing a double standard in environmental compliance. Companies which operate responsibly and follow U.S. environmental regulations at home often cause significant pollution abroad. Worker exposures and industrial emissions are often far greater in countries which lack these regulations.

On the 15th anniversary of Bhopal, it is clear that developing countries are not able to enact the necessary laws and develop the technical expertise to adequately regulate these facilities. Nor can we expect the companies to make improvements at foreign plants on their own.

As a result, a partnership between industry and an independent watchdog to set standards at industrial plants operated abroad should be established. Such a system, although voluntary, would improve environmental operations abroad by requiring ongoing inspections and certification. The incentive for U.S. companies to meet specific goals at improving their environmental performance will be the certification itself and the right to display a product label advertising their compliance. Companies that are already practicing good environmental stewardship abroad would also be rewarded because competitors will be forced to make similar investments or suffer the public relations consequences.

Already, companies such as Nike and Dow Chemical have recently opened their doors to nonprofit organizations to conduct environmental audits and make recommendations to address environmental practices in select facilities. They have set an excellent example.

Any attempt to address the root causes of the Bhopal disaster will require a partnership with industry and an independent watchdog organization to bring about the needed improvements in their facilities overseas. Legislation in the U.S. has worked to improve conditions at home while allowing -- and perhaps even encouraging -- dangerous operations abroad.

Perry Gottesfeld is Executive Director of Occupational Knowledge International (OK International).