



ethecon Foundation Ethics & Economy
Stiftung Ethik & Ökonomie Fundación Ética & Economía

ethecon Dossier

english german french spanish version

**International ethecon Black Planet Award 2014/2015
to board members Andrew N. Liveris and James M.
Ringler as well as to major shareholders of the
chemical group DOW CHEMICAL (USA)**



Cover picture

The cover shows a plant of the chemical group DOW CHEMICAL (USA) in the bigger picture, and the persons that are named and shamed with the International ethecon Black Planet Award 2014/2015, in the smaller pictures on the left side: Andrew N. Liveris (President and Chairman of the Board and the Executive Committee of DOW CHEMICAL, USA/ middle left) as well as James M. Ringler (Board member and member of the Auditing Committee / down left). The smaller picture on top, showing the dollar sign and the silhouettes, stands for the also denounced, anonymous major shareholders of the company.

About this Dossier

This dossier was published for the first time on the occasion of the naming and shaming of the board members Andrew Liveris und James Ringler and the major shareholders of DOW CHEMICAL (USA), when they were awarded with the International ethecon Black Planet Award 2014/2015 by ethecon – Foundation Ethics & Economy on November 21st, 2015, in Berlin.

After the naming and shaming of the above mentioned persons with the International ethecon Black Planet Award 2014/2015 on November 21st, 2015 in Berlin, this dossier is being published in an extended edition containing the diatribe given by Dr. Mali Muttanna Mallappa from the Sambhavna Trust Clinic in Bhopal/ India.

With adequate profit, capital is very bold.
A certain 10 percent will ensure its employment anywhere;
20 percent certain will produce eagerness;
50 percent, positive audacity;
100 percent will make it ready to trample on all human laws;
300 percent, and there is not a crime
at which it will scruple, nor a risk it will not run,
even to the chance of its owner being hanged.

Thomas J. Dunning
Economist and trade unionist (1799 - 1873)
published in the Quarterly Review
London 1860





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International ethecon Black Planet Award 2014/2015
to board members Andrew N. Liveris and James M. Ringler
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DOW CHEMICAL (USA)

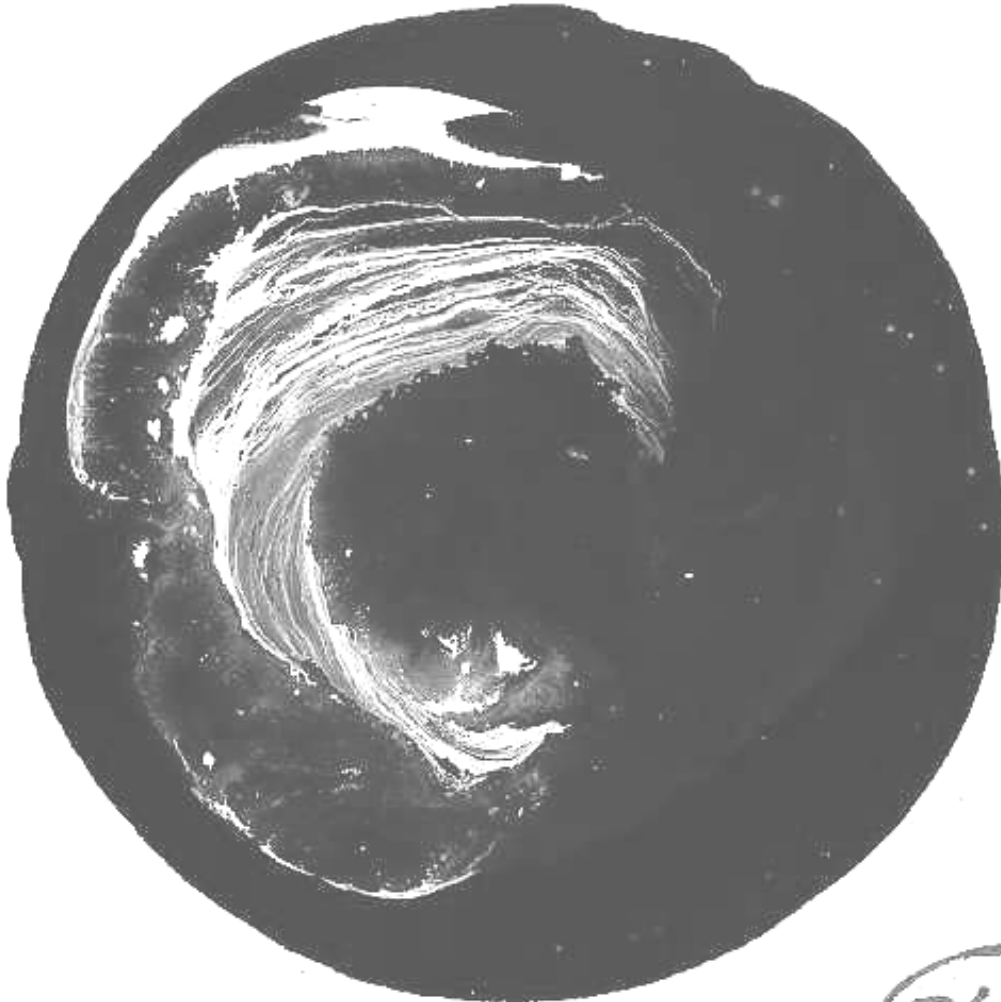
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International ethecon Black Planet Award 2014/2015
to board members Andrew N. Liveris and James M. Ringler
as well as to major shareholders of the chemical group
DOW CHEMICAL (USA)



Pieno

¡El planeta azul debe mantenerse verde!

Keep the Blue Planet green!

Der Blaue Planet soll grün bleiben!

International ethecon Black Planet Award 2014/2015
to board members Andrew N. Liveris and James M. Ringler
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Figure page 3

The figure shows the over and over again painted „Blue Planet“ by Otto Piene as well as the motto of his works cycle “Blue Planet”.



International ethecon Black Planet Award 2014/2015
to board members Andrew N. Liveris and James M. Ringler
as well as to major shareholders of the chemical group
DOW CHEMICAL (USA)

The international ethecon Blue Planet Project¹ and the two international ethecon Awards (by founding donor Axel Köhler-Schnura²)

The two international ethecon prizes Blue Planet Award and Black Planet Award have been conferred by ethecon – Foundation Ethics & Economy since 2006. Today they belong to the most well-known anti-globalisation prizes worldwide.

What are these prizes all about? What is the presentation of these two ethecon Awards all about?

My foundation members, supporting members of the ethecon foundation, the donors and of course also I, together with founding donor Ms. Rehmann, are involved in ethecon because we do not want to stand by and watch how fundamental principles of ethics are being trampled underfoot, just so that the rich and powerful of this world can become even richer and more powerful. And this while there has been already done vast damage by humans and ecology with the danger of a full social and ecological ruin of humanity. We are convinced that the reason for our social and ecological downfall of our Blue Planet is the profit principle and the associated destruction of fundamentally ethical principles caused by our economy. We are in favour of establishing ethical principles in economy and of a reorientation of a profit-based system to a solidarity-based system. Saving the planet will be only possible if we crash the profit principle.

The idea to promote efforts to preserve and rescue fundamental ethical principles with a foundation prize already came up during the foundation year in 2004. There were and are many prizes that award achievements in various sectors of society. However, there are not many prizes that honour resistance against abuse and ruin of ethics and moral that has the consequence of destruction of the environment, war and exploitation.

Our idea corresponded to the cycle of works “Blue Planet” of the artist Otto Piene (born 1928/deceased 2014)³. He belonged to the big artists of the 20th century. Together with Mack and Uecker he created the epochal ZERO art and is responsible, amongst other, for SkyArt. With the men-

¹ More detailed information about the International ethecon Blue Planet Project can be found in a brochure with the same title. It is available on request free of charge.

² Axel Köhler-Schnura, graduate in business management, Düsseldorf, born 1949, married, four children (one of them deceased); studies of business administration, sociology, informatics and various languages; until 1976 research in the field of sociology of the economy within the framework of German Research Society; followed by activities in several companies, finally in the executive management of a major enterprise in the graphic industry; since 1988 a self-employed entrepreneur with companies with an ecological orientation; actively engaged in the foundation and building of Federal Association of Citizens' Initiatives for Environmental Protection, of the umbrella organization of Critical Shareholders, of Pesticide Action Network PAN and of UnternehmensGrün (Green Enterprise), to name a few; honorary activities on the board of Arts against Big Companies Edition, of the alternative savings fund ProSolidar (www.ProSolidar.net) and of the international Network for Coordination against BAYER-dangers (www.CBGnetwork.org); founder and honorary chairman of ethecon – Foundation Ethics & Economy (www.ethecon.org); formerly in the coordination circle the European Social Forum; regular publications; bearer of several awards (Business Crime Control 1998 and Civic Courage 2000, to name a few). / Compiled from sources such as “Who is Who” (German edition) and Wikipedia.

³ More information about Prof. Otto Piene and his work can be found in the ethecon brochure entitled “Blue Planet Project” (available on request free of charge).

tioned work Piene demanded: "Keep the Blue Planet green!" Piene's credo was simple as well as astonishing: "Yes, I dream of a better world. Should I dream of a worse one?"

Piene launched together with ethecon the International ethecon Blue Planet Project in 2005 and it was based on the idea to have an international prize. However, the discussion process about this prize quickly showed that it is not enough to just honour actions that fight for ethics and moral. It showed that it is equally important to denounce misdeeds against ethics and moral. Finally, the idea emerged to have two linked together ethecon prizes: The positive ethecon prize Blue Planet Award and the negative ethecon prize Black Planet Award.

Both ethecon prizes are one unit, two sides of the same medal. Together they reflect the state of the ethical principles that shape our world. At the same time, they illustrate the vision of ethics and moral that enables a world without exploitation and oppression. The two ethecon prizes outlaw ruthlessness, greed, war and destruction of the environment. And they follow the ideals of solidarity, peace, environmental protection and justice. They demand resistance, change and commitment in the interest of the ideals; stand for a liveable future for this, our world.

The first prize, the International ethecon Blue Planet Award, awards commitment to preserve and rescue the Blue Planet and calls attention to the pressing scope of actions and opportunities. The second prize, the International Black Planet Award, denounces the desecration of our world or the danger of a Black Planet and it condemns indifference and ignorance.

The two international ethecon prizes together show: There is hope. The force is in us, in every single of us.

The two international ethecon prizes fundamentally only award people and no institutions. Like that growing and targeted anonymization of decisions are supposed to be opposed. Especially in the events of negative developments the responsible people like to hide themselves behind the facades of any institution. They like to refer to alleged constraints and blame decisions that were sort of taken automatically. However, whether it is positive or negative, it is always the same: They are always people who take decisions and bear responsibility.

The presentation of the two international ethecon prizes usually takes place once a year. At the beginning of every year an internationally widespread call is initiated in which about 10 thousand recipients are asked to make proposals for award winners – for the International ethecon Blue Planet Award as well as for the International ethecon Black Planet Award. After a thorough advisory and decision-making process the award winners are announced on the occasion of the international anti-war day, on September 21st. The international public is informed in detail in two extensive dossiers in at least three languages about the reasons why certain winners were chosen – one for the Black Planet Award and



International ethecon Black Planet Award 2014/2015
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one for the Blue Planet Award. The two ethecon prizes are awarded every third weekend of November of each year at a public, big ceremony in Berlin.

Many actors from all over the world are involved in the activities to present the awards. However, we deliberately do not involve actors from the prevailing circles and institutions but actors from resistant movements who fight for peace, ecology and justice. Like that the inseparable connection of the two awards and the meaning of these prizes to support our aim are supposed to be stressed and become visible.

The recipients of the International ethecon Blue Planet Award are invited to a ceremony in Berlin. After a detailed presentation of reasons (laudation) the prize will be handed over in person. We offer the recipient the possibility then to cooperate with ethecon and the network of the foundation.

This is different for the ethecon Black Planet Award though. The awarding of this negative prize will only be justified with a diatribe at the ceremony. The prize winners are only informed of this awarded infamous prize by an "Open Letter" that is published in three languages. However, the presentation of the award in person does not take place during this public ceremony. But also for this awarding people and organisations of international, social movements are involved.

When the two International ethecon Awards were born in 2005, a process to find prize trophies was created. Otto Piene spontaneously offered to create the trophy for the International ethecon Blue Planet Award and since 2006 he designed the annual prize trophy for the International ethecon Blue Planet Award as a unique, valuable sculpture that is made out of glass and wood. Until 2009. He asked then – now 82 years old – for reasons of age to be released from this responsible task.

With Katharina Mayer, the great photo artist and Becher student (Born in 1958), we have found someone who worthily continues the Blue Planet Project that was established by Piene and ethecon and who also gives the project its own character. In 2010, the prize trophy of the International ethecon Blue Planet Award was not designed with a brush for the first time. It was designed with the help of photo art. We are proud to have Katharina Mayer on our side.⁴

The prize trophy of the International ethecon Black Planet Award is created in a completely different way. This trophy is a plastic globe that is industrially manufactured under exploitative and environmentally unfriendly conditions that is designed annually as a Black Planet by young people. The artistic alienation is deliberately not carried out by the artist who creates the annual positive prize but by a young person who is randomly chosen. In doing so, it is avoided to create the infamous trophy of the International ethecon Black Planet Award as an art of work of high quality. It is guaranteed that in our world that is oriented towards usability no new precious objects are created. Especially for someone

⁴ More about the person and works of Prof. Katharina Mayer in the ethecon brochure „Blue Planet Project“ (can be obtained free of charge)

who does not deserve this appreciation – in the truest sense of the word. At the same time the young person is a symbol for the endangered future of the Blue Planet, for those who are threatened by a Black Planet. It is the youth whose future is destroyed by the ecological, social and martial ruin of the world.

It is significant and important to mention that the denounced people who are awarded with the International ethecon Black Planet Award generally despise this award trophy. Down to the present day not one of the reviled persons has accepted the award personally and has laid him/herself open to criticism by the public. The prize trophy could be handed over to a delegate at the best, such as to an employee of a press office. However, most of the times we could observe how the prize was destroyed by security guards.

ethecon – Foundation Ethics & Economics is a foundation from the bottom. The foundation has emerged from global movements against globalisation and big corporations that fight for environmental protection, peace and justice; supported by activists who fight against corporate power, exploitation, war and environmental destruction; globally networked, connected with principles of international solidarity. ethecon is a foundation that sees itself as being responsible for future generations. The International ethecon Blue Planet Project that comprises the two international ethecon prizes wants to express this solidarity and these principles. Searching and finding the annual recipient on the basis of the mentioned principles, the annual presentation of the ethecon prizes during a ceremony that has a different topic every year in the context of the responsibility to sustain a liveable world, the presentation of the International ethecon Black Planet Award in the context of broad international actions – that is the International ethecon Blue Planet Project.

International ethecon Black Planet Award 2014/2015
to board members Andrew N. Liveris and James M. Ringler
as well as to major shareholders of the chemical group
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**Excerpt
from ethecon's statement justifying the censure of
the members of the board Andrew N. Liveris and
James M. Ringler as well as the major shareholders
of DOW CHEMICAL (USA) with the International
ethecon Black Planet Award 2014/2015⁵**

Primarily responsible for decisions and actions of the chemicals group DOW CHEMICAL (USA) are the president, directors and officers Chairman Andrew N. Liveris, Executive Board member and member of the Auditing, James M. Ringler and the major shareholders.

They own the group. They run the company. They are responsible for the ruin of human health and the destruction of the environment on a large scale, and even the death of many people. They represent not only a danger to peace and human rights but also to democracy, ecology and humanity as a whole. They act for the benefit of personal power and private wealth. For this they smash morals and ethics under their feet and accept the destruction of Earth as a Black Planet.

Ethecon sees in the action of Andrew N. Liveris, James M. Ringler and the major shareholders of the chemicals group DOW CHEMICAL (USA) a shocking contribution to ruin and destruction of our Blue Planet. For these appalling abuses and violations of human ethics Ethecon reviles those responsible of DOW CHEMICAL with the International Ethecon Black Planet Award 2014/2015.

Berlin, 21st September 2015⁶

⁵ Cf. page 30 of this dossier for complete reasons for the decision.

⁶ Foundation ethecon intentionally chose 21st September for the announcement of the awardees of both annual international ethecon Awards: 21st September is International Day of Peace.

**Background information
regarding the censure of the members of the board Andrew N. Liveris and
James M. Ringler s as well as the major shareholders of DOW CHEMICAL (USA)
with the International ethecon Black Planet Award 2014/2015**

DOW CHEMICAL is an American manufacturer of pesticides, insecticides, chlorine compounds and many other chemicals. In addition, the company is involved in the area of petrochemicals and genetic engineering. DOW CHEMICAL is the second largest chemical corporation in the world after BASF.⁷ The most important subsidiaries in the global, widely ramified corporate structure are DOW AGROSCIENCES and DOW CORNING.

DOW CHEMICAL employs about 53,000 people and DOW's 2014 sales totalled approximately \$58 billion. The corporation manufactures more than 6,000 chemical products which are produced in 201 manufacturing sites in 36 countries.

The biggest site of DOW CHEMICAL is located in the US in the Houston/Freeport area (Texas). Other important American sites are located in Texas, Louisiana, Kentucky and Michigan. The corporate headquarters is located in the last mentioned state in Midland.

Sites in Europe are located in Terneuzen, Tarragona, Schkopau, Stade and Bomlitz. DOW CHEMICAL has about 6,000 employees in Germany and is therefore, its biggest branch abroad.

Other important manufacturing sites are located in Aratu in Brasil, Bahia Blanca in Argentina, Map Ta Phut in Thailand al-Dchubail in Saudi Arabia.

Due to its involvement in the SADARA CHEMICAL COMPANY in Saudi Arabia and its involvement in the company SABUCO DOW CHEMICAL takes part in the world's biggest production plant for Butanol.⁸

Dow was founded in 1897 by the chemist Herbert H. Dow who invented a new method of extracting bromine that is trapped underground in brine. With this company and method he wanted to produce commercially and sell bleaching agents. Midland is rich in rock salt and the substances contained in them and it was therefore the right place for Dow's business venture. DOW CHEMICAL was born.

World War I was already a financial gain for DOW CHEMICAL as imports of chemical products from Germany were missing. But that's not it. Its active support of the war also helped the young corporation to grow nationally without fearing any competition.

That was also the case during World Word II. DOW CHEMICAL made profit by, for example, selling fluorescent powder, chemicals to protect cell membranes, camouflage, by bleaching uniforms, deliver-

⁷ http://www.en.wikipedia.org/wiki/DOW_Chemical_Company: Status 2007

⁸ Butanol is used, amongst others, as a solvent for lacquers etc.



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ing products to oil and ensure rust protection of guns, by safeguarding water purity and by selling many other products that are decisive for the outcome of the war.⁹

In 1944, at the end of World War II another product was introduced to create bombs: NAPALM. NAPALM was extensively used for the first time by the U.S. Air Force on March 6, 1944 over Berlin. When the Vietnam War began in 1965 people in power at DOW CHEMICAL decided to produce and commercialise this bomb product on a massive scale.¹⁰ This petrol mixture and therefore its producer DOW CHEMICAL became the epitome of horror.

DOW CHEMICAL developed NAPALM B., in cooperation with the U.S. Air Force. It is a viscous and extremely sticky mixture that consists of petrol, benzene and polystyrene (plastic) that burns up to 1,200° Celsius. In case of skin contact, it burns into the flesh and due to the polystyrene in it the jelly is so viscous that you can barely remove it. The addition of phosphorus later on had the effect that it could also burn under water, as a Vietnam veteran tells: "We sure are pleased with those backroom boys at DOW. The original product wasn't so hot – if the gooks were quick they could scrape it off. So the guys started adding polystyrene – now it sticks like shit to a blanket. But then if the gooks jumped under water it stopped burning, so they started adding Willie Peter (WP – white phosphorus) so's to make it burn better. It'll even burn under water now. And one drop is enough; it'll keep on burning right down to the bone so they die away from phosphorus poisoning."¹¹ Indeed, death occurs caused by roasting or by suffocation because when the gel starts burning all oxygen in the area is exhausted within moments.¹² Until 1966, DOW CHEMICAL delivered 4,550 tons of NAPALM for the Vietnam War. DOW's president at the time, Herbert D. Doan, described NAPALM as "a good weapon for saving lives".¹³

In 1969, DOW's president at the time, Carl Gerstacker, declared that the company would stop the production of NAPALM. But he did not justify it with moral or ethical arguments but solely with the migrating shareholders of the corporation. They turned their back to DOW due to massive public protests against the production of NAPALM and DOW CHEMICAL's active involvement in the Vietnam War.¹⁴ DOW CHEMICAL always relied on the government's support when it came to the production of NAPALM and the company thought that it could not be held responsible for its actions.¹⁵ Millions of victims in Vietnam are still awaiting compensation – if this tragic suffering can be compensated at all.¹⁶

⁹ <http://geo.msu.edu/extra/geogmich/dow.html>

¹⁰ <http://thevietnamwar.info/napalm-vietnam-war/>

¹¹ Quote in: "The Loneliness of Noam Chomsky", Arundhati Roy. *The Hindu*. August 24, 2003.; <http://www.chomsky.info/onchomsky/20030824.htm>

¹² "DOW Shalt Not Kill", Howard Zinn, 1967: http://www.thirdworldtraveler.com/Zinn/DOW_napalm.html.

¹³ <http://www.bhopal.net/what-happened/1990-present/2001-dow-chemical-enters-fray/dow-carbides-deadly-legacy/>

¹⁴ http://www.bhopal.net/old_studentsforbhopal_org/DOWVietnam.htm

¹⁵ http://www.chemie.de/lexikon/DOW_Chemical.html#_ref-0/

¹⁶ <http://www.kritische-massen.over-blog.de/article-dow-chemical-massenmord-konzern-als-olympia-sponsor-107862165html>

80 to 90 litre¹⁷ of the poison were sprayed over the Southern part of Vietnam and over parts of Laos and Cambodia. It contained almost 366 kilogram of dioxin.¹⁸ The derivatives of AGENT ORANGE are called AGENT ORANGE II, AGENT PINK, AGENT GREEN, AGENT PURPLE, AGENT WHITE and AGENT BLUE as a powder as well as a water solution.¹⁹ The poison has valid ground to be called harmless according to its colours: The Geneva convention prohibits the use of such weapons that cannot exclude the civilian population.

The use of these chemical agents had catastrophic consequences for the environment. Up until today the environmental damages are not repaired yet, soil and water in the affected areas still not decontaminated.

But it was not just catastrophic for the environment. It was also a heavy blow of fate for the concerned fathers and mothers, children and grandchildren, together approximately 4.8 million people, who still suffer today from the cruel consequences of the sprayed defoliants AGENT ORANGE and its derivative. Besides cancer diseases, it also causes dramatic birth defects. Up until today, into the third generation. Every day about 24 severely malformed babies are born, without legs, without eyes, with fingers that have grown together, as a dead foetus, with unthinkable many sufferings. Just 80 grams of this dioxin TCDD is enough to fatally poison all inhabitants of New York. The former president John F. Kennedy had to sign individually the orders for the top secret "Operation Ranch Hand" in order to be able to use the substance.²⁰ On 30/11/1961 he requested the Department of State and the Department of Defence for comment and received approval for it.

Suppliers of the substance were ethecon infamous award winner 2006 MONSANTO (in cooperation with BAYER, amongst others, in the jointly operated company MOBAY)²¹, HERCULES, OCCIDENTAL CHEMICAL and DOW CHEMICAL. In 2005, a New York court decided against the class action of victims for the companies. "No one had the intention to poison people." The poison had been used to destroy and defoliate the harvest in order to banish the danger of dense overgrown opaque forests.²² There is no base for any of the action of the applicants, neither at a court of a nation or of a state or of a country nor according to international law", doctor and environmental health officer Karl-Rainer Fabig quoted

¹⁷ Of 80 million liters can be read on the following page: kritische-massen.over-blog.de/article-dow-chemical-massenmord-konzern-als-olympia-sponsor-107862165.html. Of 90 million liters, CHAO writes in the document "The war does not end". The information in this paragraph is taken from both sources.

¹⁸ <http://www.dorfderefreundschaft.de/cms/medien/presse/66-sueddeutsche-zeitung-vom-24112004>

¹⁹ „The extent and patterns of usage of AGENT ORANGE and other herbicides in Vietnam“, Jeanne Mager Stellman et. al., in: Nature, Vol. 422 April, 17 2003, p. 681-687. Online available at: http://www.fird.org/Agent_Orange/nature01537.pdf

²⁰ „Der Krieg der nicht zu Ende geht“, CHAO; „Krieg und kein Ende“, Carsten Stormer, in: Wiener Zeitung, of 18.01.2010. Online available: http://www.reporter-forum.de/fileadmin/pdf/Workshop_2010/Texte/Geyer_Text1.pdf

²¹ Speech of "dispraise" by Dr. Muttanna Mallapa Mali contains plenty of information and can be found in the internet cf. <https://www.ethecon.org/de/992>

²² „Der Krieg der nicht zu Ende geht“, CHAO; „Krieg und kein Ende“, Carsten Stormer, in: Wiener Zeitung, of 18.01.2010. Online available: http://www.reporter-forum.de/fileadmin/pdf/Workshop_2010/Texte/Geyer_Text1.pdf



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the justification for rejection. The claim was filed on 30/01/2003 by American lawyers. The main accusation in the application of the 26 chemistry and pharmaceutical companies was against DOW CHEMICAL. The White House recommended the verdict to reject the application in the interest of corporate profits.

Vietnam and the US had discussed a project to scientifically process the consequences of the use of the Agent Orange. However, it was discontinued by the USA before even money has flowed. The official statement was: "The Vietnamese government did not cooperate properly", in the protocol it says: The on-going process against the producers of Agent Orange, including MONSANTO and DOW CHEMICAL, increases the restraint of the American government to finance this project".²³

Nothing has changed since then. In 2008, the appeal court confirmed that the case had been dismissed: The companies, DOW CHEMICAL first of all, would not be held responsible since they acted at the initiative of the American military and defoliants were merely used in order to protect American soldiers. The victims of AGENT ORANGE as well as their bereaved do not receive any compensation from the American government or from DOW CHEMICAL and other corporations. Vietnam pays the equivalent of 25 Euros per month (Status 2010).²⁴

In 2010, DOW even sought federal approval for an herbicide containing one of the main ingredients in AGENT ORANGE. The company is billing the compound as farmers' best bet in the battle against a new strain of "super weeds" — invasive plants that can't be killed by traditional herbicides and choke crops.²⁵

Another lawsuit occupies DOW CHEMICAL'S managers today regarding a devastating event that just seems to be over: The biggest catastrophe of the chemical industry in history that took place in Bhopal/India in December 1984. In 2001, UNION CARBIDE (UC) the company that was responsible for the disaster became a 100 % subsidiary of DOW CHEMICAL.²⁶

In the night of 3 December 1984, a gas tank exploded with Methylisocyanate (MIC) in the pesticide factory of UC in the mega city Bhopal in India. Approximately 8,000 people died immediately after the accident, approx. 500,000 were poisoned, and 25,000 others died from the effects of the disaster within the next 20 years. More than 150,000 people are still suffering from incurable chronic diseases that

²³ New Scientist of 10/03/2005/ nach „AGENT ORANGE vor Gericht. US-Richter lehnt Klage der Opfer ab“, Karl-Rainer Fabig, in: Wiener Zeitung and Vietnam Kurier 1/2005. Online available at: <http://www.fg-vietnam.de/Vietnam-Kurier/Artikel/AOvorGericht.html>. More of his informative and extensive publications to the topic can be found at: <http://www.safer-world.org/de/lit/karl-rainer-fabig.html>.

²⁴ „Krieg und kein Ende“, Carsten Stormer, in: Wiener Zeitung, 18/01/2010. Online available at: http://www.reporter-forum.de/fileadmin/pdf/Workshop_2010/Texte/Geyer_Text1.pdf

²⁵ „AGENT ORANGE Ingredient Could Soon Be Used to Kill Superweeds“, Clare Foran, in: NationalJournal, 10/08/2014. Online available at: www.nationaljournal.com/energy/agent-orange-ingredient-could-soon-be-used-to-kill-superweeds-20140710.

²⁶ <http://www.unioncarbide.com/history>

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were caused by burns of mucous membranes and inner organs as well as damage to the lungs. The number of victims has never been systematically collected.²⁷

At the moment the generation of children and grandchildren are being poisoned again as the site has never been decontaminated and the toxins accumulate and spread in soil and (drinking) water. The tragic event took place because the chemistry giant demonstrably wanted to spare security installations and staff in order to increase their profits.²⁸

As it was the case with AGENT ORGANGE, DOW CHEMICAL also systematically refuses the legal recognition of its liability as well as a reasonably adequate compensation for this catastrophe. Just after long protests and juridical proceedings the company was forced to pay only one to two hundred dollar per case. The company pleads the contract that was closed with the Indian government. But only very low compensation payments are written down in the contract that only cover a small portion of all cases. It does not even include the treatment of the sick and the bereaved. And it does not say a word about cleaning the contaminated site either. The penalty sum of 470 million US Dollar even includes that the Indian government cannot take any other legal action against the company.²⁹

The chemical group simply believed and still believes that the leaked chemicals were not toxic. However, at the same time DOW refuses to name the exact reaction products.

In 2013, DOW CHEMICAL was brought to court because the 100 % subsidiary UNION CARBIDE repeatedly ignored summons regarding the chemistry catastrophe – the company was found guilty of homicide by negligence.³⁰

In 2014, another hearing was held in court concerning the chemistry catastrophe in Bhopal in which the whole content of the civil law settlement was examined again. Representatives of DOW CHEMICAL did not turn up again;³¹ they didn't turn up in March 2015 either.³²

Legally it is formalised that DOW CHEMICAL bears full responsibility for the tragedy of 1984 and therefore, it also bears responsibility in the current court process. In India as well as in the USA a legal

²⁷ BAYER was the first company to develop chemical warfare agents, promoting their implementation in the First World War. Until the present day they are known worldwide as producers of chemical agents with the best know-how when it comes to killing people. Immediately after the Bhopal disaster they sent a team of experts to the scene who took all the data meticulously. The information disappeared in the company's vaults never to be published until today.

²⁸ A member of Foundation ethecon did voluntary work in 2014/2015 for analyses and an expertise for the Indian Supreme Court about how poisonous substances continue to spread over an area.

²⁹ <http://www.fr-online.de/panorama/25-jahre-bhopal-katastrophe-vergiftet-und-verleugnet,1472782,3185594.html> and www.amnesty.de/2009/12/1/bhopal-die-katastrophe-nach-der-katastrophe

³⁰ „India: Court decision requires DOW CHEMICAL to respond to Bhopal gas tragedy“, Amnesty International News, of 23.07.2013. Online available: <http://www.amnesty.org/en/news/india-court-decision-requires-dowchemical-respond-bhopal-gas-tragedy-2013-07-23>

³¹ http://www.amnesty.de/journal/2014/dezember/warum-wir-bhopal-nicht-vergessen-duerfen?destination=suche%3Fwords%3DBhopal%26search_x%3D0%26search_y%3D0%26form_id%3Dai_search_form_block

³² <http://bhopal.org/increased-compensation-for-disaster-survivors-union-carbide-moves-for-early-hearing-in-curative-petition/>



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principle “the Polluter Pays” says that the responsible persons are liable for the damages caused by a catastrophe.

However, even payment requests made by the government are ignored.³³ In the USA, DOW and UC defended themselves on the ground that only the Indian court is entitled to issue directions. But the Indian court has no power to legally act against the head offices that are located in the USA. DOW has such a great influence on American politics which goes that far that Michael Froman, the representative of the national safety authority (NSA), warned in 2010 that investments relations would worsen if DOW was brought to justice in India.³⁴

Furthermore, DOW CHEMICAL hides behind flowery phrases such as „The company connects chemistry and innovation with the principles of sustainability to help address many of the world’s most challenging problems such as the need for clean water.”³⁵ At the same time, the corporation hits the headlines and is on black lists again and again.

In March 2015, it was announced that a BAYER site was transferred to DOW CHEMICAL in the city district Institute of Charleston/West Virginia. However, this transfer appears to be extremely perfidious considering the Bhopal catastrophe and DOW CHEMICAL’s constant ignorant attitude towards assuming responsibility and secondary liability: After the Bhopal catastrophe, UNION CARBIDE sold its sister factory in Bhopal to BAYER in order to get out of the line of fire with its highly dangerous technology. Today the site goes back to UNION CARBIDE as if Bhopal had never happened. Although this facility exploded in 2008 and killed two employees. During this explosion a tank filled with 6,000 kg of this highly toxic Bhopal poison was missed by only a few millimetres. Institute would have been wiped out by a hair’s breadth.³⁶

In 2005, DOW CHEMICAL was denounced with the international public eye award for violating human rights, but also “for trying to use every conceivable gap to shuffle out of responsibility for the Bhopal catastrophe”.³⁷

But DOW CHEMICAL is again and again denounced for other crimes it has committed against the environment. Since the Political Economy Research Institute in Massachusetts established the “Toxic 100

³³ See “DOW CHEMICAL Company’s Position - Briefing” DOW neglects to acknowledge the 2005 application by India’s Ministry of Chemicals and Fertilisers requiring a deposit of Rs1billion, towards environmental remediation from joint tortfeasors, including DOW, named in public interest litigation in the Madhya Pradesh State High Court. DOW refuses to pay the deposit. <http://www.bhopal.org/dows-bhopal-position/>

³⁴ See press releases, such as The Economic Times of 19/08/2010: „Bhopal case: US Deputy NSA warns of chill in investment”: „US deputy National Security Advisor Michael Froman warned that India’s emphasis on DOW could have ‚have a chilling effect upon our investmentrelationship’ between the two countries”. Online available: http://www.articles.economicstimes.indiatimes.com/2010-08-19/news/27623376_1_e-mail-dow-chemicals-ibrd.

³⁵ <http://www.dow.com>.

³⁶ <http://www.wvgazetteemail.com/article/20150330/DM05/150339952>

³⁷ <http://publiceye.ch/de/case/dow-chemical/>

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Air Polluters" (In the USA) list in 2004, the company was regularly ranked top on the list with its American sites.³⁸

And DOW CHEMICAL was also ostracised for the fact that the company falsely reported guide values and bribed officers and employees in order to get, for example, approval for pesticides in India³⁹: In 2007, the company had to pay a fine of 325,000 Dollar because of irregular payments for registering four pesticides in India⁴⁰; in 2010 the 100 % subsidiary DOW AGRO SCIENCES was convicted of bribery⁴¹; in addition, in 2013 payments made to parties during the election campaign were noticed by National Election Watch (NEW) and the Association for Democratic Reforms (ADR) in India which corresponds to an action against the Foreign Contribution Act.⁴²

However, bribery and wrong information are not limited to India: in 2011, the company had to pay a fine of 37,000 pounds for delivering wrong report figures of the factory in Grangemouth, Scotland.⁴³

In 2013, DOW was convicted of tax evasion in the USA in the amount of 1 billion US Dollar and had to pay a fine of 20 % of the evaded taxes.⁴⁴

In Europe, Dow also had to pay a fine as the company violated antitrust laws: the corporation had to pay a fine of 59.2 million Euros for a price agreement with DuPont between 1993 and 2002.^{45 46}

Another trial that lasted many years in the USA⁴⁷ lead finally to a result in 2008: Between 1953 and 1975 DOW CHEMICAL ran a plutonium plant near Denver, the Rocky Flats Nuclear Weapons Plant, in which a leak led to a radioactive contamination of the region. DOW had to pay 653.3 million US-Dollars to owners in this region as compensation.⁴⁸

In Terneuzen, Netherlands, the corporation was found guilty in 2013 for intentionally violating the law that had the consequence that the environment was endangered and people were in danger.⁴⁹

³⁸ Studies of the Political Economy Research Institute of the University of Massachusetts Amherst: <http://www.peri.umass.edu/toxic100/>. Data for 2004 (DOW: Place 11) date from 2002, 2008 (DOW: Place 3) from 2005, 2010 (DOW: Place 15) from 2006, 2012 (DOW: Place 7) from 2007. In 2013, DOW CHEMICAL was placed third.

³⁹ <http://www.envistaweb.com/pesticides-l/index.php/all-articles-listed/20-news-dow-agro-sciences-india-blacklisted-for-bribing-officials-government>

⁴⁰ http://www.panna.org/legacy/panups/panup_20070222.dv.html

⁴¹ http://www.articles.economicstimes.indiatimes.com/2011-05-28/news/29593946_1_show-cause-notice-dursban-10g-blacklisted

⁴² http://www.newindianexpress.com/states/tamil_nadu/Foreign-contributions-to-parties-under-scrutiny/2013/08/14/article1733554.ece

⁴³ http://www.m.heraldscotland.com/news/13047794._2_7m_fine_is_price_of_greenhouse_gas_mistake_by_Exxon/

⁴⁴ <http://www.reuters.com/article/2014/09/10/dowchemical-deductions-idUSL1N0RB1Q720140910>

⁴⁵ <https://www.polutionsim.wordpress.com/2012/07/22/dow-chemical-products/>

⁴⁶ http://www.ec.europa.eu/competition/elojade/isef/case_details.cfm?proc_code=1_38629

⁴⁷ Lawsuit was filed in 1990, court proceedings began in 2005 - see: <http://www.westword.com/news/the-secrets-of-rocky-flats-wont-stay-buried-forever-5124462>

⁴⁸ <http://www.commondreams.org/news/2008/06/04/boeing-dow-chemical-fined-926-million-over-nuclear-pollution>

⁴⁹ http://www.dutchnews.nl/news/archives/2012/07/dow_chemical_in_court_for_brea/ and: http://www.dutchnews.nl/news/archives/2014/03/dow_chemical_fined_18m_for_bre/



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In 2006, DOW CHEMICAL violated in Midland, Michigan the Clean Air Act, Clean Water Act and the Resource Conservation and Recovery Act and was sentenced to pay a fine of 2.5 million US Dollars. In 2011, the fine was repeated. Public sector employees knew that that the Tittabawassee River was contaminated with Dioxin since the early 1980s. The contamination of the region has not been fixed by DOW up until today; poisoned sediments are redistributed in the event of flooding. Public bodies advise to abandon the consumption of meat, milk and eggs from this region.⁵⁰

In 2010, DOW CHEMICAL was sentenced to pay a fine of 146.917 US Dollars in Texas because of air pollution.

One of the offices of the chemistry group is also located in Texas, Freeport. It is responsible for almost the whole measured water pollution (does not contain pollutions of oil and gas drillings) of the state. And that although the study that was published in 2012 by the Environmental Protection Agency (EPA) was based on group's own figures and not on independent data. Afterwards, 1.35 kg of the toxic Dioxin flowed from the DOW factory into the Brazos River and into the Gulf of Mexico. A spokesperson of the company, Trish Thompson said that the company acts in accordance with all state approvals. EPA denied this and denounced 12 cases in consecutive quarters until the end of 2013.⁵¹

DOW CHEMICAL is also active in the area of genetic manipulation. Although the corporation only holds a small share on the world market, it is very well networked in the industry through constant new Joint Ventures. The company's aim was to generate 50 percent of profits through genetically engineered seeds until 2015. So it is hardly surprising that DOW has reached agreements with four other corporate giants of the industry: BASF, MONSANTO, SYNGENTA and DUPONT (Status 2009). They own together more than 200 seed corporations. A spokesperson of the chemistry corporation says that it is not a matter of fully owning each segment of the value chain but of having access to the respective production line.^{52 53}

The biggest chlorine factory is located in Stade near Hamburg. It belongs to DOW CHEMICAL and produces, amongst others, asbestos. However, the use of asbestos has been banned for many years in Europe and from 2017 on, it will also be forbidden to use it as a production material in industry. However, the corporation enforced an exemption for the plant in Stade until 2025.⁵⁴

⁵⁰ michiganradio.org/post/dioxin-cleanup-downstreamdow-chemical-enter-next-stage

⁵¹ „Texas Among Nation's Worst Water Polluters“, Gildad Edelman, in: The Texas Tribune, 19.06.2014. Online available: <http://www.texastribune.org/2014/06/19/texas-among-nations-worst-water-polluters/>.

⁵² „In our view you do not have to fully own each segment of the value chain so long as you have access to it. We lead with the idea of partnering, alliances and joint ventures.“, Philip H. Howard, „Visualizing Consolidation in the Global Seed Industry: 1996-2008“, in: Sustainability 2009, 1, p.1266-1287, Zitat p. 1278. Online available: <http://www.mdpi.com/journal/sustainability>

⁵³ „Revealed: how seed market is controlled by Monsanto, Syngenta, BAYER, DOW & DuPONT“, Tom Levitt, in: The ecologist, of 07.10.2010. Online available: http://www.theecologist.org/News/news_round_up/625294/revealed_how_seed_market_is_controlled_by_monsanto_syngenta_bayer_dow_dupont.html

⁵⁴ <http://www.abendblatt.de/wirtschaft/article130728988/1500-Jobs-bei-DOW-Chemical-in-Stade-gefaehrdet.html>

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The law 960 was supposed to come into force on the Hawaiian island Kaua'i in August 2014 from 2013. The law requires that protected zones are available between "sensitive locations" such as schools or hospitals or fields that are cultivated with genetically manipulated plants and sprayed with relevant pesticides. DOW CHEMICAL's subsidiary Agrigenetics contested the law together with the other companies DUPONT, PIONEER, SYNGENTA and BASF that are stationed on the island. Justification: The law is invalid and unfairly impacts their business. After that, the responsible American magistrate judge overturned the law.⁵⁵ The mentioned companies test their genetic manipulated plants on the island and spray several pesticides that are currently the most dangerous ones used in agriculture. The intensity of their use exceeds by far the quantity that is usually used.⁵⁶

The company publishes information even on its own web site that shouldn't be underestimated: They have an office in Brussel in the Avenue de Cortenbergh 52 on the third floor – in the building of the Office of EU Government Affairs and Public Policy.⁵⁷ This clearly shows that DOW and politics sit next door to each other, ways are short. This also demonstrates the networking activities of the two chairmen of DOW Andrew N. Liveris and James M. Ringler who are awarded with the infamous International ethecon Black Planet Award 2014/2015.

Last but not least, he is a board member of trustees of the U.S. Council for International Business⁵⁸ and he is a member of the President's Export Council⁵⁹, two other advisory bodies of the American government. In addition, he was the president of U.S.-China Business Council, a group that describe themselves as "respectable hosts" for politicians.⁶⁰ Furthermore, he is connected with the University of Queensland and as a trustee with the Tufts University.

Andrew Liveris is, for example, chairman of the U.S. Business Council. This committee invites leaders from politics, government and science to briefings.⁶¹ He is also involved in the President's Advanced Manufacturing Partnership as a co-chairman which is another committee that advises politicians.⁶²

In total, Liveris is connected with 215 board members in 11 different organisations distributed over 10 different industry sectors.⁶³ He is, amongst others, vice chairman of Business Roundtable (as well as James M. Ringler) and president of the American Chemistry Council and the International Council of

⁵⁵ „Federal Judge Overturns Kaua'i Pesticide and GMO Law“, Rebekah Wilce, in: PR Watch, of 26/08/2014. Online available: <http://www.prwatch.org/news/2014/08/12579/federal-judge-overturns-kauai-pesticide-and-gmo-law>.

⁵⁶ „The Kaua'i Cocktail: Why Residents of Hawai'i Are Outraged by GMO Farming on Kaua'i“, Paul Koberstein, in: Cascadia Times, of 16/06/2014. Online available: <http://www.times.org> and <http://www.prwatch.org/news/2014/06/12512/kauai-cocktail-why-hawaiians-are-outraged-gmo-farming-kauai>.

⁵⁷ <http://www.dow.com/locations/office.htm#eu>

⁵⁸ <http://www.uscib.org/index.asp?documentID=706>

⁵⁹ <http://www.trade.gov/pec/about.asp>

⁶⁰ <https://www.uschina.org/about>

⁶¹ <http://www.thebusinesscouncil.org/about/>

⁶² <http://www.manufacturing.gov/amp.html>

⁶³ This summary can be found at: investing.businessweek.com/research/stocks/people/person.asp?personId=8307189&ticker=DOW



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Chemical Association. He is a member of the American Australian Association, of the U.S. India CEO Forum and the Peterson Institute for International Economics. He is a board member of trustees of the DOW foundation of the company founder Herbert H. Dow and his wife Mrs. Grace and he is also a board member of the California Institute of Technology. In addition, he is a member of the board of INTERNATIONAL BUSINESS MACHINES Corporation (IBM) and from 2005 till 2011 he was a board member of CITIGROUP Bank. He also collaborated with the COCA COLA Company with the aim to found the Greek NGO the Hellenic Initiative (THI) that is supposed to stimulate and promote investments in Greece.⁶⁴

In relation to his education, Liveris is a chemist. He was born in Darwin/Australia and studied at the University of Queensland in Brisbane.

According to the annual report 2011 of the New York Times Andrew Liveris was ranked 25th on the "Top 30 CEO money makers" list with 17.7 Million US Dollar – 13 % more than the previous year.⁶⁵ In 2014, he was ranked 61th of the 200 highest paid CEOs with 20,449,665 US Dollar.⁶⁶

Liveris has been working at DOW CHEMICAL since 1976. In 1989, he was in charge of Thai business relationships for three years and afterwards, he was manager of the group for polymer emulsions and New Ventures for one year. Then in 1993, he became manager for the new business area – environment for one year for which he became vice president for one year as well. From 1995 till 1998, Liveris was president of DOW CHEMICAL Pacific Limited and afterwards he was vice president of Speciality Chemicals for two years. This was followed by three years, from 2000 till 2003, as Business Group President for Performance Chemicals and finally, since 2004 he is president and chairman at DOW Chemical. In 2006, he also became the president of the supervisory board.⁶⁷ On May 15th 2014, he was re-elected as chairman of DOW CHEMICAL.

Liveris lives with his wife in Midland, Michigan and has three kids. Besides being co-chairman in the President's Advanced Manufacturing Partnership, he is also the author of the book "Make it in America: The Case for Re-Inventing The Economy", that aggressively celebrates the economic role of manufacturing and the role of the USA as a world power.

Dow was ranked 1st on ICIS Chemical Business Magazine's list of the "Power Player" of the global chemistry market in 2010 till 2013. On December 4th 2014, Andrew N. Liveris was awarded with the Chemical Marketing & Economic Group Lifetime Achievement Award.⁶⁸ However, this cynically hap-

⁶⁴ Information about THI can be found at: http://www.en.wikipedia.org/wiki/Andrew_N._Liveris#cite_note-4

⁶⁵ <http://www.craigslist.com/article/20110413/STAFFBLOG07/110419958/who-says-theres-still-a-glass-ceiling-the-numbers-millions-of-them>

⁶⁶ Charif Souki of Cheniere Energy receives the highest remuneration by far to the amount of 141.949.280,- \$. Second highest is 85.049.800,- \$ received by Mario J. Gabelli of GAMCO Investors cf. <http://www.equilar.com/nytimes/the-new-york-times-200-highest-paid-ceos>

⁶⁷ These and the following information about Liveris refer to statements on the following website: <http://people.equilar.com/bio/andrew-liveris-dow-chemical/salary/639332#.UONXvldUfM>

⁶⁸ http://www.en.wikipedia.org/wiki/Andrew_N._Liveris#cite_note-4

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pened just one day after the 30th anniversary of the biggest chemistry catastrophe happened in history in Bhopal/India caused by Dow. The ceremony's theme is: "Celebrating Today's Leaders, Enabling Those of Tomorrow".⁶⁹

James M. Ringler is a board member of DOW CHEMICAL since 2001 and at the same time he is also a member of the Audit Committee. From 1996 till 2001 he was a board member of UNION CARBIDE⁷⁰ and changed directly to DOW's board when UC was taken over by DOW CHEMICAL.

Ringler and Liveris bear direct responsibility for denying guilt for the chemistry catastrophe that happened in Bhopal as well as for denying providing any compensation and reparation.

In 1968, Ringler completed his business and financial administration studies at the State University of New York. From 1982 till 1986, Ringler was chairman of the TAPPAN Company and changed then as president to WHITE CONSOLIDATED INDUSTRIES MAJOR APPLIANCE Group. Both companies are subsidiaries of ELECTROLUX AB. In 1990, Ringler started working at PREMARK as vice president and CEO and stayed there till 1999. Afterwards, he was vice chairman of the supervisory board at ILLINOIS TOOL WORKS Inc., board member at FMC TECHNOLOGIES, Inc., INGREDION Incorporated and JOHN BEAN TECHNOLOGIES till 2004. In 2002, Ringler became board member at AUTOLIV, four years later he was elected into the compensation committee. Furthermore, from March till September 2005 he was also temporary chairman at NCR Corporation where he was chairman of the supervisory board until 2007 and then worked at TERADATA Corporation. He is also (same as Liveris) a member of the supervisory board at INTERNATIONAL BUSINESS MACHINES Corporation (IBM), at JBT Corporation and INGREDION (previously Vorn Products International, Inc.). In addition, he has head of the REYNOLDS METALS Company, the National Association of Manufacturers, of Evanston Hospitals as well as of trustees at the Manufacturers Alliance for Productivity and Innovation and of the Boys and Girls Clubs of North America, Midwest Region.⁷¹ Same as Liveris, he is a board member of Business Round Table, the committee that promotes pro-business public policy.

DOW's political network is a lot vaster than Liveris and Ringler's personal connections make us think. Since 1990 the company operates a so called Political Action Committee (PAC) that specifically exists just for the purpose of supporting candidates during elections. 19 out of 33 of the employed lobbyists are former employees from politics. DOW paid 632.940 US Dollar to government groups and electoral candidates in the first quarter of the current year. In 2013, the chemistry giant DOW spent 10.650 million US Dollar on lobby activities. In 2012, DOW spent 1.45 million US Dollar on electoral candidates, 68 % of

⁶⁹ <http://www.cmeacs.org/2014fliers/2014Dec4cmeAward-Synopsis.pdf>

⁷⁰ <http://www.nndb.com/people/832/000126454/>

⁷¹ <http://www.zoominfo.com/p/James-Ringler%C3%83%C6%92%C3%A2%E2%82%AC%C5%A1/1362278801?search=Andrew+Liveris,http://www.teradata.de/board-of-directors/?LangType=1031&LangSelect=true>



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it went to republicans. The company supported, for example, Mitt Romney, Barack Obama, Fred Upton, Allyson Schwartz and George Allen.⁷²

The major shareholders of the company are behind Liveris and Ringler. They are the owners of the company that are behind the mentioned top managers and bear full responsibility for all business transactions.

The private major shareholders of DOW CHEMICAL – major shareholders of other corporations as well – act anonymously. They mask their identity with great skill and effort. This includes that they often transfer the management of their assets to interlaced investment networks. It should always be noted that the persons behind the institutional investors are also people who are responsible for investment decisions. This also applies to funds that invest to secure social reserves.

DOW CHEMICAL's equity is 26.3 billion US Dollars (USD) and is divided into 1.15 billion shares. The value of one share is 25 USD and it is traded on the stock market for 42 USD.

About 1,100 institutional investors hold approx. 72% of DOW CHEMICAL's shares. These also include well-known investment companies of the super-rich such as CAPITAL INVESTMENT and BLACKROCK. The five biggest institutional shareholders are:

- VANGUARD GROUP (SHAREHOLDING APPROX. 5.81 %)
- CAPITAL WORLD INVESTORS (SHAREHOLDING APPROX. 4.03%)
- STATE STREET CORPORATION (SHAREHOLDING APPROX. 3.83%)
- FRANKLIN RESSOURCES (SHAREHOLDING APPROX. 2.61%)
- BLACKROCK (SHAREHOLDING APPROX. 2.51 %)

The managers of the company even hold considerable equity stakes. Whereas ownership interests in the corporation are relatively modest. The five biggest are held by:

- Heinz Haller (VICE CHAIRMAN OF DOW CHEMICAL)
APPROX. 600 THOUSAND SHARES/SHAREHOLDING 0.05%
- Gregory M. Freiwald (Personnel manager OF DOW CHEMICAL)
APPROX. 550 THOUSAND SHARES/SHAREHOLDING 0.05%
- Charles J. Kalil (VICE CHAIRMAN OF DOW CHEMICAL)
APPROX. 410 THOUSAND SHARES/SHAREHOLDING 0.04%
- Andrew N. Liveris (Chairman of DOW CHEMICAL)
APPROX. 230 THOUSAND SHARES/SHAREHOLDING 0.02%
- David E. Kepler (Press chief OF DOW CHEMICAL)
APPROX. 70 THOUSAND SHARES/SHAREHOLDING 0.01%⁷³

⁷² http://www.sourcewatch.org/index.php?title=DOW_Chemical_Company

⁷³ <https://www.finance.yahoo.com/q/mh?s=DOW+Major+Holders>



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The following persons are primarily responsible for decisions and actions taken at the chemistry group: The president, chairman and chairman of the board Andrew Liveris and board member and member of the auditing committee James M. Ringler as well as other major shareholders. They own the company. They manage the company. They are to blame for ruining human health and for destroying the environment on a grand scale, yeah even for killing many people. They do not just pose a threat to peace and human rights but also to democracy, ecology and to humankind as a whole. They act for the benefit of personal power and private gain. They trample all over moral and ethics and accept the downfall of the earth as a Black Planet.

ethecon blames Andrew Liveris, James M. Ringler as well as the major shareholders of the chemistry corporation DOW CHEMICAL (USA) for shockingly contributing to ruin and destroy our Black Planet. ethecon – foundation Ethics & Economics denounces the people of power of DOW CHEMICAL for this appalling disregard and violation of human ethics with the International ethecon Black Planet Award 2014/2015.



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Contact details

Andrew N. Liveris
(Chairman, Chairman of the supervisory board, Major Shareholder)

James M. Ringler
(Board Member and Auditing committee, Major Shareholder)

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Selected internet links

<http://dow-watch.org>

<https://corporate-watch.org>

<http://corp-research.org/dowchemical>

<http://corpwatch.org>

http://de.wikipedia.org/wiki/DOW_Chemical

<http://de.statista.com/themen/1529/dow-chemical/>

http://de.wikipedia.org/wiki/Katastrophe_von_Bhopal

https://en.wikipedia.org/wiki/Andrew_N._Liveris

<http://www.bloomberg.com/research/stocks/private/person.asp?personId=280567&privcapId=23983>

http://www.bhopal.net/old_studentsforbhopal_org/DOWVietnam.htm

<http://www.dorferfreundschaft.de/cms/medien/presse/66-sueddeutsche-zeitung-vom-24112004>

http://www.reporter-forum.de/fileadmin/pdf/Workshop_2010/Texte/Geyer_Text1.pdf

<http://www.bhopal.org>

<http://www.bhopal.net>

<http://www.amnesty.de/journal/2014/dezember/warum-wir-bhopal-nicht-vergessen-duerfen?>

<https://www.amnesty.org/en/latest/news/2013/07/india-court-decision-requires-dowchemical-respond-bhopal-gas-tragedy/>

<http://theyesmen.org/hijinks/dow>



International ethecon Black Planet Award 2014/2015
to board members Andrew N. Liveris and James M. Ringler
as well as to major shareholders of the chemical group
DOW CHEMICAL (USA)

Selected non-governmental organisations

> The Bhopal Medical Appeal

Unit 2, The Foundry

St. George's Mews,

Brighton BN1 4EU

United Kingdom

Fon +44 - 1273 - 603278

eMail admin@bhopal.org

Internet www.bhopal.org

> Amnesty International

Germany

India - coordinationgroup

Zinnowitzer Straße 8

D-10115 Berlin

Germany

Fon +49 - 30 - 420248-0

Fax +49 - 30 - 420248-488

eMail info@amnesty.de

Internet www.amnesty-indien.de

> MultiWatch

Mailbox

3097 Liebefeld

Swiss

eMail info@multiwatch.ch

Internet www.multiwatch.ch

> Pesticide Action Network North America

1611 Telegraph Ave, Suite 1200,

Oakland, CA 94612

USA

Fon +1 - 510 - 788 9020

Fax +1 - 415 - 981 1991

Internet www.panna.org



International ethecon Black Planet Award 2014/2015
to board members Andrew N. Liveris and James M. Ringler
as well as to major shareholders of the chemical group
DOW CHEMICAL (USA)

- > Corporatewatch
c/o Freedom Press
Angel Alley, 84b Whitechapel High Street
London, E1 7QX
United Kingdom
Fon +44 - 207 - 426 0005
eMail contact@corporatewatch.org
Internet corporatewatch.org
- > CorpWatch
P.O. Box 29198
San Francisco, CA 94129
USA
Fon +1 - 415 - 226 6226
Internet www.corpwatch.org
- > International Campaign for Justice in Bhopal (ICJB)
c/o PANNA
1611 Telegraph Ave #1200
Oakland, CA 94612
USA
eMail justice@bhopal.net
Internet www.bhopal.net
- > International Campaign for Justice in Bhopal (ICJB)
c/o Rachnya Dhingra
44 Sant Kanwar Ram Nagar
Berasia Road, Bhopal, MP 462018
India
eMail rachnya@gmail.com
Internet www.bhopal.net

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as well as to major shareholders of the chemical group
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Justification

by ethecon – Foundation Ethics & Economy for censuring the members of the board Andrew N. Liveris and James M. Ringler as well as the major shareholders of DOW CHEMICAL (USA) with the International ethecon Black Planet Award 2014/2015

Since 2006, Ethecon confers: The Foundation Ethics & Economics Biennial International Awards, the International Ethecon Blue Planet Award, and the International Ethecon Black Planet Award.

The International Ethecon Blue Planet Award honors people who are committed to outstanding protection and defense of human ethics and economics in a world in crisis. These people are fighting for the preservation and rescue of our Blue Planet.

The International Ethecon Black Planet Award peoples' award is bestowed on people who, by their shocking actions in regards to ethics and economics, set ruin and destruction of our Blue Planet; thus, hurtling our world towards a Black Planet.

The International Ethecon Blue Planet Award and the International Black Planet Award are two opposite sides of the same coin. Both sides reflect the state of our world. One honors the commitment and solidarity for environmental protection, justice and peace. The other ostracizes the recklessness, greed and exploitation, which engenders a call to resistance and change. In both cases, the Blue Planet Award includes all animate and inanimate worlds.

The finding and selection process for the International Ethecon Black Planet Award 2014/2015, is explained by Trustees and Board of Ethecon or Foundation Ethics & Economics:

The Foundation denounces the International Black Planet Award in a consistent manner with the International Ethecon Blue Planet Award, as well as the objectives of Ethecon Foundation on Ethics & Economics, people who violate ethical and economic principles in an extreme way, who defile and spurn, and who place the blue planet in danger.

The International Ethecon Black Planet Award denounces those promoters of war, exploitation, human rights violations, destruction of nature and social misery and more. Also, to those who act recklessly for the sole purpose of personal enrichment. They show what is commonly called recklessness and selfishness. They are the ones who disregard the delicate balance between ethics and defile. They despise morality and ethics, and tolerate their power and profit interests over the demise of the planet, turning it into a Black Planet. The Award winners of the International Black Planet are contrary to the interests of humanity with their profit motive.

They are always well secured and protected, autocratic and increasingly freed from any laws and jurisdiction. And yet, they are the ones who indebted mankind into war, exploitation and environ-



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mental destruction. The award unmaskes these people who threaten the "Blue Planet" or provoke its downfall to a "black planet", a vilified and stigmatized people. Their denunciation should be warning and deterrent.

Accordingly, the annual International Ethecon Black Planet Award understood as a Mobilization for the commitment to peace, justice and environmental protection, mobilization of resistance to war mongering, exploitation and environmental destruction. It should raise public awareness and draw attention, discover the connections and those responsible, and to strengthen the resistance to environmental destruction, war and injustice.

Each February, an internationally widespread call to submit nominations for the International Ethecon Black Planet Award, takes place. In a thorough selection process, the winners are determined by the Foundation in August of the respective year.

The International Ethecon Black Planet Award 2014/2015 reviles Andrew N. Liveris (President, Executive and Board Chairman) and James M. Ringler (board member and member of the Audit Committee) and those responsible for major shareholders of DOW CHEMICAL.

Trustees and Board of Ethecon based their decision on news reports, on the facts partially known to the public for years, to the of journalists gathered around the world information on publicly present documents on investigations by government agencies and environmental organizations in different countries and not least to those published by DOW CHEMICAL materials. Basically it can be assumed that the justification would have been even more consistent and comprehensive for the decision, all have, internally and elsewhere held under seal and covered up, and possibly even destroying informational indicting evidence.

Of the many the nomination procedures for the award of the International Ethecon Black Planet Award 2014/2015, may be mentioned exemplary to the board members Andrew Liveris and James Ringler and the major shareholders of DOW CHEMICAL researched facts:

DOW CHEMICAL took over 2001 pesticide manufacturer Union Carbide. Thereby the responsibility for the world's most serious chemical accident in the metropolis of Bhopal / India at DOW CHEMICAL ended. The former board member of Union Carbide James M. Ringler is one of the directly responsible persons for the disaster and has mandate seat on the board of DOW CHEMICAL.

In 1984 the pesticide plant of Union Carbide in Bhopal exploded and a poison gas cloud drifted over densely populated areas. Within days, 8,000 people died from the poison. To date more than 20,000 people have died as a result, and more than 150,000 are chronically ill. Even today, when the third generation is growing, tens of thousands of people are poisoned and die. The poisons were never disposed of, they accumulate over a large area in the soil, contaminate ground and surface water. Even the hospitals that took care of the victims were forced to set up shop without any help. Hospi-

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tals are still being funded through donations every year. Union Carbide left the people to their own devices after the disaster, never adequately compensated or resolved the situation locally. DOW CHEMICAL who has taken over the pesticide manufacturing, but simply renounces any legal responsibility between itself and the people. Also, it does nothing to remedy the consequences of the industrial disaster and leaves the people in Bhopal without any help and assistance. Nor does the senior management of DOW CHEMICAL accept any responsibility for the acute suffering of the Vietnamese civilian population who are still suffering from the effects of the sprayed poisons during the Vietnam War. DOW CHEMICAL was one of the companies which produced the defoliants AGENT ORANGE and gasoline mixture NAPALM. NAPALM bombs and AGENT ORANGE worked comprehensively and thus took no consideration the civilian population.

Until 1966 DOW CHEMICAL has delivered 4,550 tons of napalm. Between 1961 and 1971, the US Army sprayed 90 million liters of the defoliant on Vietnam as well as parts of Laos and Cambodia. The Ultra poison dioxin led by this application in so far three million people to cancer and birth defects, including the third generation since the war. Their actions are solely directed towards profit of the chemical company—practices which still continue up to the present day. The highly toxic asbestos has long been banned and outlawed worldwide. The US Company DOW CHEMICAL still uses the substance in production in Europe's largest chlorine plant. DOW is the only operation in the EU, which is still operating with a corresponding exemption. This runs until 2017 but DOW CHEMICAL demanded an extension until 2025. And risks of possible damage to health and the environment are consciously accepted.

Whether it is about party financing, tax evasion, environmental destruction of the support of genetic engineering to radioactive contamination, falsification of measurements, warmongering, manipulation, and bribery – DOW CHEMICAL is involved in numerous crimes.

Already with the establishment of the company in 1897 began the structural hazards by extracting extremely toxic bleach bromine from brine. Radioactive contamination near Denver from 1953 und 1975, Dioxin contamination of the Tittibawas river in Michigan since the 1980s, the careless handling of trials of genetically modified plants and seed like e.g. in Kaua'i (Hawai'i), asbestos (Germany) and the responsibility as the biggest water polluters in Texas, are just a few of the most famous crimes of the group. Since the designation of 100 main air pollution risk assessment of chronic disease burden in the US in 2004 (Toxic 100 Air Polluters) the Group is regularly in the front seat. The economic cooperation between DOW and the US Army is the main warmongering reason for the Group. At the same time DOW CHEMICAL leads with the sponsorship of the Olympic and Paralympic Games 2012, the public astray and wants to present itself as a socially and environmentally caring group.

The decision to hold in contempt the directors Andrew Liveris and James Ringler and the major shareholders of DOW CHEMICAL to Trustees and Board of Ethecon, refer expressly to the 1994 by the Inter-



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national Permanent Peoples' Tribunal (PPT), whose adopted proposal for an international charter "human rights and industrial health hazards" and the Charter of the universal human rights of the United Nations.

Trustees and Board of Ethecon declare:

Primarily responsible for decisions and actions of the chemicals group DOW CHEMICAL (USA) are the president, directors and officers Chairman Andrew N. Liveris, Executive Board member and member of the Auditing, James M. Ringler and the major shareholders.

They own the group. They run the company. They are responsible for the ruin of human health and the destruction of the environment on a large scale, and even the death of many people. They represent not only a danger to peace and human rights but also to democracy, ecology and humanity as a whole. They act for the benefit of personal power and private wealth. For this they smash morals and ethics under their feet and accept the destruction of Earth as a Black Planet.

Ethecon sees in the action of Andrew N. Liveris, James M. Ringler and the major shareholders of the chemicals group DOW CHEMICAL (USA) a shocking contribution to ruin and destruction of our Blue Planet. For these appalling abuses and violations of human ethics Ethecon reviles those responsible of DOW CHEMICAL with the International Ethecon Black Planet Award 2014/2015.

The International Ethecon Black Planet Award 2014/15 was awarded to board members Andrew Liveris and James Ringler and the major shareholders of the chemicals group DOW CHEMICAL with the International Ethecon Blue Planet Award 2014-15 to Tomo Križnar in a public ceremony in Berlin on 21st November 2015.

Berlin, International Day of Peace 21st September 2015⁷⁴

⁷⁴ It is with full intention that Foundation ethecon chose 21st September for the declaration of the decision about the awardees of both the annual ethecon Awards: 21st September is International Day of Peace.

**Open Letter
from the ethecon Foundation Ethics & Economy
to the President, Chairman of the Board, and CEO Andrew N. Liveris
and board member James M. Ringler,
and the major stockholders of DOW CHEMICAL**

Mr. Liveris,
Mr. Ringler,
Ladies and Gentlemen,

Today, on 21st November 2015, as part of a public event in Berlin, the International ethecon Black Planet Award 2014-2015 was presented by ethecon – Stiftung Ethik & Ökonomie.

This shaming award serves to “stigmatize persons who have trampled particularly prominently on ethical principles when faced with the conflicting priorities of ethics and economics, thus endangering our Blue Planet – the Blue Planet being the entire animate and inanimate world... (The award) pillories persons who are prominent bad examples of profiting from war, exploitation, violations of human rights, destruction of nature, and misery, and are thus, intentionally or unintentionally, driving forces of these disastrous developments. These people are the ones who are provoking the danger that the Blue Planet will become a Black Planet.” (Das Internationale ethecon Blue Planet Project, Düsseldorf 2011, 15th edition, pp. 13-14)

The International ethecon Black Planet Award for 2014/2015 was awarded today, together with the International ethecon Blue Planet Award for 2014/2015. This “honors individuals who have shown extraordinary commitment to ethical principles when faced with the conflicting priorities of ethics and economics, thus fighting to protect and save our Blue Planet – the Blue Planet being the entire animate and inanimate world.... (The award) honors people who ... are prepared to engage in civil resistance in defense of peace, justice, and the environment ... to stand up for the ideals and interests of humanity without concern for any disadvantages this may bring them. They are the guarantors who tend, care for, and defend the delicate new growth of ethics.” (Das Internationale ethecon Blue Planet Project, Düsseldorf 2011, 15th edition, pp. 10-12)

As the result of an extensive worldwide nomination and selection process, you, Mr. Liveris and Mr. Ringler, and you, the major stockholders of DOW CHEMICAL, were selected on 21 September 2015, International Peace Day, for the International ethecon Black Planet Award 2014/2015.

We based our decision on news reports, on those facts known to the public, some for years now, on information collected by journalists throughout the world, on publicly available documents, on investigations by government bodies and environmental groups in various countries, and last not least, on the materials published by your corporate group. Basically, it can be assumed that the grounds given for



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our decision would have been even more extensive and thoroughgoing, if all the information had been available, including the items kept under lock and key or covered up, or possibly even destroyed, in your firm and elsewhere.

On the basis of the information that is thus accessible, the ethecon Foundation Ethics & Economy justifies its decision to pillory you, Mr. Liveris and Mr. Ringler, and you, the major stockholders of DOW CHEMICAL, internationally by means of the International ethecon Black Planet Award 2014/2015 as summarized below:

On the basis of the information that is thus accessible, the ethecon Foundation Ethics & Economy denounces you, Mr. Liveris and Mr. Ringler, and you, the major stockholders of DOW CHEMICAL, internationally by means of the International ethecon Black Planet Award 2014/2015, for countless abuses and crimes in the name of profit for which you are responsible. To name but a few:

In 2001, DOW CHEMICAL acquired the pesticide manufacturer UNION CARBIDE. Thus the responsibility for the world's worst chemical accident, in the big Indian city of Bhopal, passed to DOW CHEMICAL. With the former member of the Union Carbide board of directors, James M. Ringler, one of those directly responsible for the disaster is currently on the board of DOW CHEMICAL. In 1984, Union Carbide's pesticide plant in Bhopal exploded, and a cloud of poisonous gas spread across the densely-populated region. Within a few days, 8,000 people died from the poison; to date more than 20,000 have died in consequence, and more than 150,000 are chronically ill. Even today, in the third, upcoming generation, tens of thousands are poisoned, and people still die. The toxins were never removed, but instead accumulate in the soil over a large area, and contaminate the groundwater and surface waters. Even the hospitals to care for the victims the people had to erect themselves, and finance by donations year after year. While Union Carbide abandoned the people to their fate after the catastrophe, never compensated them reasonably, and did not correct the situation at the location, DOW CHEMICAL took over the pesticide manufacturer entirely, but simply denies any legal responsibility, does nothing to remedy the consequences of this industrial catastrophe, and leaves the people in Bhopal without any help and assistance.

The chemical company's exclusively profit-oriented activities continue to this day. Asbestos, a very harmful substance, has long since been banned throughout the world. But the U.S. corporation DOW CHEMICAL is still using this substance in production in Europe's largest chlorine plant in Stade, near Hamburg. Dow is the only firm in the EU still operating with a corresponding exemption. This will expire in 2017, but DOW CHEMICAL is demanding an extension until 2025. This means deliberately accepting the risks of possible harm to health and the environment.

Whether it be financing political parties in elections, tax evasion, environmental destruction from support for genetic engineering to radioactive contamination, falsifying readings, warmongering, manipulating prices, or bribery – DOW CHEMICAL is involved in countless crimes against people



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and the environment. From the founding of the firm in 1897 on, the structural hazards began, with the start of the extraction of the extremely toxic bleaching agent bromine from brine. The radioactive contamination near Denver from 1953 to 1975, the contamination of the Tittabawassee River in Michigan with dioxin since the 1980s, the current careless handling of experiments with genetically manipulated plants and seeds in Kaua'i, Hawaii, of asbestos in Stade, Germany, and the responsibility as the biggest water polluter in Texas, are only a few of the corporation's best-known crimes. Since 2004, the hundred most important air polluters in the U.S.A. have been named for risk assessment of chronic health burdens (Toxic 100 Air Polluters), and the company is regularly near the head of the list. The commercial collaboration between Dow and the U.S. Army represents the company's warmongering. At the same time, DOW CHEMICAL deceives the public with its sponsoring of the Olympic Games and the 2012 Paralympics, seeking to present itself as a socially and environmentally concerned corporation. In view of the endless list of its crimes, this can only be called cynical.

In their decision to pillory you, the managing board and the board of trustees of ethecon also explicitly refer to the proposal adopted by the Permanent Peoples' Tribunal (PPT) on 1994 for a human-rights "Charter on Industrial Hazards", and to the United Nations Declaration of Human Right.

Mr. Liveris,
Mr. Ringler,
Ladies and Gentlemen,

It is you who are primarily responsible for the decisions and actions of DOW CHEMICAL. You own or direct the firm. It is you who are to blame for ruining human health and destroying the environment on a large scale, and indeed for the death of many people. You are a danger not only to peace and human rights, but also to democracy, the environment, and humanity as a whole. You act for the sake of personal power and private enrichment. For this, you trample on morality and ethics, and accept the ruin of the Earth as a Black Planet.

Ethecon sees in your actions, Mr. Liveris, Mr. Ringler, and major stockholders, "a shocking contribution to the ruin and destruction of our Blue Planet. For this frightful disregard and violation of human ethics, the ethecon Foundation Ethics & Economy denounces you, Mr. Liveris and Mr. Ringler, and you, the major stockholders of DOW CHEMICAL, by means of the International ethecon Black Planet Award 2014-2015.

As mentioned above, the awarding of the International ethecon Black Planet Award 2014/2015, to you, who own and are responsible for DOW CHEMICAL, is combined with the awarding of the International ethecon Blue Planet Award 2014/2015. This is being awarded to the peace and human-rights activist, director, and journalist Tomo Križnar. In contrast to you, who are endangering and ruining our



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Blue Planet irresponsibly, Tomo Križnar champions the preservation and rescuing of our Blue Planet and its inhabitants in an outstanding fashion.

We call on you to follow the example of people like Tomo Križnar for your personal involvement. Put an end to the exploitation and ruining of people and the environment by DOW CHEMICAL. Ensure social justice, safety, and human rights in the corporation itself and its purview. Preserve the environment and peace. Instead of in the pursuit of profit, use your money for ethical investments and solidary projects, such as the vast majority of the world's population demand.

And above all, we call upon you to finally compensate the thousands of victims of the Bhopal disaster in India, and the use of Agent Orange in Vietnam, and their families. Decontaminate the environment you have poisoned on a large scale in those countries.

This is the appeal to you, the responsible managers and owners of DOW CHEMICAL, from the ethecon Foundation Ethics & Economy that accompanies the pillorying by the International ethecon Black Planet Award 2014/2015.

At the same time, we demand and advocate, along with the national and international movements critical of corporations and globalization, that you be held liable, called to account, and where applicable punished, both in the framework of the corporation and personally, for your actions and for all the environmental, health, financial, social, and other damage caused by your corporation.

Berlin, 21st November 2015

Axel Köhler-Schnura
(chairman of the managing board)

Wolfgang Teuber
(chairman of the board of trustees)

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Diatribes

**on occasion of the bestowal of the International ethecon Black Planet Award 2014/2015
on the to board members Andrew N. Liveris and James M. Ringler
as well as to major shareholders of the chemical group
by Dr. Mali Muttanna Mallappa⁷⁵ from the Sambhavna Trust Clinic in Bhopal/ India**

Namaste to all of you,
a Good Day to all who are present,

I would like to convey cordial greetings from the victims of UNION CARBIDE and from people of Sambhavna Trust Clinic in India. Clinic staff offers treatment to those affected free of charge.

First of all I would like to express my gratitude to all members of the ethecon Foundation for giving me the opportunity to report about the environmental aspects of the criminal rackets of DOW CHEMICAL company USA and about the methyl isocyanate gas disaster which took place in Bhopal. My name is Dr. Maly. I am an Ayurvedic physician in Bhopal, and I have treated about 115.000 chemical victims in Bhopal in the course of the last eleven years. Within the next 15 minutes I am going to open your eyes about the ten worst crimes of DOW CHEMICAL.

1. DOW CHEMICAL, or THE DOW CHEMICAL COMPANY (TDCC), is one of the most significant destroyer of life and health on and of the planet.

DOW CHEMICAL is the world's largest producer of Dioxin, the most toxic chemicals known to humankind. Extremely small doses of Dioxin can cause reproductive and developmental problems, damage the immune system, interfere with hormones and also cause cancer. DOW CHEMICAL is called Dioxin King of the World.

DOW CHEMICAL is the world's largest Chlorine producer. Chlorine is a corrosive gas that can cause death and long term debility on inhalation. Organic compounds of chlorine are known to cause damage to the reproductive , nervous and endocrine system and cause cancers.

DOW CHEMICAL is the world's largest Plastic producer. Plastics are known to cause cancer, birth defects, genetic changes, chronic bronchitis, Endocrine disruption, declining sperm counts, infertility, endometriosis immune system impairment and other adverse health effects.

Several chemicals other than Chlorine, Plastics and Dioxin are produced or emitted by DOW CHEMICAL facilities disrupt the endocrine system causing a host of diseases.

⁷⁵ Dr. Muttanna Mallapa Mali is bhopal activist and one of the most important doctors of the self-governed Samhava Trust Hospital in Bhopal which was founded in 1984 directly after the toxic disaster.



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Several chemicals other than Chlorine, Plastics and Dioxin produced or emitted by DOW CHEMICAL facilities suppress immunity or cause auto-immune diseases.

Several chemicals other than Chlorine, Plastics and Dioxin produced or emitted by DOW CHEMICAL facilities cause cancer.

Dow is a major producer of EDC Ethylene Dichloride and VCM Vinyl Chloride Monomer and generates huge amounts of Dioxins and Furans during their manufacture.

DOW CHEMICALS' toxic legacy includes Asbestos, Dioxins, 2,4,5-T, 2,4-D, Chlorpyrifos, Perchloroethylene, Hexachlorobutadiene, Bisphenol-A, Vinyl chloride, Silicone and Picloram.

According to the United States Environmental Protection Agency(EPA), Dow has some responsibility for 96 of the United States'Superfund toxic waste sites⁷⁶

DOW CHEMICAL is a member of the "Global Climate Coalition," an association of 50 US trade associations and private companies representing oil, gas, coal, automobile and chemical interests. The group spent millions of dollars in its campaign to persuade the public and governments that global warming is not a real threat.

2.

The DOW CHEMICAL Company has been an active collaborator in destruction by Wars and invasions.

DOW CHEMICAL produced Mustard Gas for use in World War I

DOW CHEMICAL produced Plutonium for Pentagon's Nuclear bombs in the 1950's.

DOW CHEMICAL was part of the Manhattan Project that ended in dropping Atom bombs over Hiroshima and Nagasaki.

From 1951 to 1975⁷⁷, DOW CHEMICAL managed the Rocky Flats Plant near Denver, Colorado. Rocky Flats was a nuclear weapons production facility that produced plutonium triggers for hydrogen bombs⁷⁸.

Contamination from fires and radioactive waste⁷⁹ leakage were routine under DOW CHEMICAL's management. In 1957 a fire burned plutonium dust in the facility and sent radioactive particles into the atmosphere.

⁷⁶ https://www.en.wikipedia.org/wiki/United_States_Environment
https://www.en.wikipedia.org/wiki/United_States_Environmental_Protection_Agency
<https://www.en.wikipedia.org/wiki/Superfund>
https://www.en.wikipedia.org/wiki/Toxic_waste

⁷⁷ https://www.en.wikipedia.org/wiki/Rocky_Flats_Plant

⁷⁸ https://www.en.wikipedia.org/wiki/Hydrogen_bomb

⁷⁹ https://www.en.wikipedia.org/wiki/Radioactive_waste



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DOW CHEMICAL supplied Agent Orange for defoliation of forests during the US invasion of Vietnam. Today upwards of 150, 000 Vietnamese children suffer from Agent Orange induced birth defects.

DOW CHEMICAL produced Napalm bombs that were extensively used on Vietnamese civilians by the US military.

In 1973 DOW CHEMICAL was the first company to receive a phone call from the dictator Pinochet's military after his forces assassinated democratically elected president Allende. The dictator asked DOW CHEMICAL to come back to Chile, it did.

3. The DOW CHEMICAL Company is known to support individuals committing crimes against humanity.

In 1951 DOW CHEMICAL hired Otto Ambros, a Nazi war criminal convicted at Nuremberg for slavery and mass murder. Ambros was a director of I.G. Farben, and one of the decision makers who agreed Zyklon B should be used in the concentration camps.

In 1988, DOW CHEMICAL provided pesticides to Saddam Hussein despite warnings that they could be used to produce chemical weapons.

4. The DOW CHEMICAL Company is known to violate ethical norms through actions bordering on criminal.

In 2001 the USA Securities Exchange Commission fined DOW CHEMICAL 350 thousand US \$s for bribing Indian officials for quick registration of Durban and two other pesticides.

In 1997 DOW CHEMICAL tried to suppress research findings of Dr. Fredrick vom Saal of University of Missouri, Columbia regarding health impact of Bisphenol A. DOW CHEMICAL is one of the world's top five producers of Bisphenol A (BPA) that is an endocrine disruptor and a carcinogen⁸⁰.

DOW CHEMICAL sold a drug called Bendectin known to cause congenital deformity to 33 million pregnant women in the 1980's.

DOW CHEMICAL tested Chlorpyrifos a chemical invented by the Nazis on Prisoners of Dannemora, New York in 1971

In 1994 DOW CHEMICAL hired PR firm Mongoven, Biscoe and Duchin to gather intelligence on environmental and public health organizations involved in the chlorine issue.

⁸⁰ Bisphenol A is plasticizer which is often used in drinking bottles for children and other plastic stuff.

After taking over Union Carbide in 2001 DOW CHEMICAL retained Stratfor, a private US based intelligence agency to spy on Bhopal activists for several years till Jeremy Hammond exposed DOW CHEMICAL's snooping.

DOW CHEMICAL suppressed information on the health effects of 2,4,5-T, DBCP, Chlorpyrifos, PVC, Bisphenol A, Silicone, Agent Orange.

In 2007 a confidential US EPA report describing DOW CHEMICAL's efforts to delay a cleanup and mislead the public about the dangers of dioxin was reported in the media. The following year one of EPA's top administrators said she had been forced to resign by the Bush Administration because of her efforts to get DOW CHEMICAL to deal with dioxin contamination.

In 2004 a report by US Democrat congressman Henry Waxman revealed DOW CHEMICAL's strategy to block the European legislation REACH for testing of chemicals before they come onto the consumer market.

5.

DOW CHEMICAL follows a policy of Environmental Racism that is based on Double Standards.

In 1980 the Wall Street Journal reported that DOW CHEMICAL distributed the medicine Tetracycline in Malaysia for children without mentioning the hazards in its package inserts, as it had done elsewhere in the world.

In 1990 two DowElanco pesticides failed to meet U.S. registration standards for health reasons. The pesticides were marketed and sold abroad instead and used on crop and animal feed.

After the US EPA⁸¹ pointed out damage to brain development due to DOW CHEMICAL's once best selling pesticide in USA, Dursban, the company withdrew the product from USA in 2000 but it continues to sell Durban in India.

In 2003 DOW CHEMICAL paid a fine of 2.1 million \$s for falsely claiming Dursban to be safe for children and pets in an advertisement. In India it continued to make this claim.

6.

The DOW CHEMICAL Company's Corporate Social Responsibility in India is but propaganda plus profit.

In November 2006, as part of CSR, Dow India inaugurated a reverse osmosis plant in Dasaigudem village to provide some 600 villagers with clean drinking water. The desalination plant uses four Dow brand FilmTec membranes, each costing \$300 (Rs. 15,000). The plant stopped after two years when villagers were asked to purchase the membranes.

⁸¹ http://www.chicagotribune.com/health/chi-epa-official_02may02,0,6718043.story



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DOW CHEMICAL's other CSR project in India is in collaboration with an NGO that donates artificial limbs to disabled children. DOW CHEMICAL is promoting its Polyurethane as a replacement for the rubber used to make the limbs.

**7.
The DOW CHEMICAL Company is killing and maiming people in Bhopal and poisoning the unborn by refusing to clean up the soil and ground water contamination in and around the abandoned Union Carbide factory.**

As the 100 % owner of Union Carbide, USA DOW CHEMICAL is liable for cleaning up the toxic contamination of soil and groundwater in and around the pesticide factory in Bhopal. Since 2001 DOW CHEMICAL refuses to accept liability for clean up in Bhopal.

16 scientific studies carried out from 1990 to 2015 have confirmed the presence of cancer and birth defect causing chemicals and contaminants that cause damage to liver, kidneys, lungs and the brain in the soil and groundwater till 3 kilometres of the abandoned factory.

Scientific studies including that by the state government agency have documented significantly high rates of cancers and birth defects as well as damages to the gastro-intestinal, pulmonary systems and to eyes and skin among the 10 thousand families chronically exposed to contaminated ground water.

**8.
The DOW CHEMICAL Company is sheltering Union Carbide, a fugitive from justice that is charged with culpable homicide for the Bhopal disaster.**

Union Carbide Corporation responsible for the deaths of over 25 thousand people in Bhopal that continues to abscond from Indian courts since 1992, is currently a 100 % owned subsidiary of DOW CHEMICAL. Recognizing this, the Chief Judicial Magistrate of the Bhopal District Court in 2005 summoned DOW CHEMICAL to ensure that Union Carbide stops absconding. DOW CHEMICAL continues to stay away from Bhopal court.

Through its subsidiaries such as Dow Global Technologies Inc (DGTI) and DOW CHEMICAL International Private Ltd. (DCIPL), DOW CHEMICAL is selling Union Carbide's products, processes and services in India.

**9.
The DOW CHEMICAL Company is also wreaking havoc through its commercial operations in GMOs.**

The IARC, the World Health Organisation's cancer agency, says that Dow Chemicals' 2,4-D, the GMO industry's new herbicide of choice to kill glyphosate-resistant weeds in GMO crop fields, is a "possible" human carcinogen.



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10.

DOW CHEMICALS' CEO Andrew Liveris is facing SEC investigation

DOW CHEMICAL's current CEO Andrew Liveris has been caught with his hands in the till. He made the company pay for his family's African safari, trip to the Super Bowl and World Cup Cricket in South Africa. The US Securities & Exchange Commission is currently probing misuse of company funds by Liveris.

Once again I'm really thankful to all of the present for listen to me. And also a big thanks to Anabel who assists me.

Thank you ethecon foundation for your important work to stop the deceptive practices of DOW CHEMICAL

Let's say together:

„DOW CHEMICAL murdabad!“ (Down with DOW CHEMICAL!)

Thank you!

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Greetings

Dieu Hao Abitz (Germany)⁸²

I have lived in Germany since 1974. I was born in Vietnam in 1953, so I have lived in Germany for more than half of my life. But still the Vietnamese tragedies from the dark years of war pursue me till the present day. Here is one of these tragedies – my personal tragedy:

Our cuckoo clock, given to us by German friends as a present, chimed three in the night.

I tossed and turned around in my bed. I scratched my back on the hard wooden latches. I scratched my neck. I scratched my legs. I went to the bathroom and looked into the mirror, at the large, badly swollen spots on my neck, legs, belly, and arms. Some spots had begun to bleed from the scratching.

The sight and the itching became unbearable for me. I kept crying and swallowing. How was I supposed to go to school tomorrow? What would the people say? At the time, in 1970, I was just seventeen years old, in the prime of my girlhood.

I took antihistamine pills, so I became tired and slept most of the time. That was a relief.

Was it alright that I avoided going out?

I found out that I developed this strong allergic reaction after eating all kinds of seafood, like fish, shrimps, lobster and the like. Was it possible that fish triggered off these allergic reactions? Fish and fish sauce are staple foods in Vietnam. Of course I had always eaten them as a child.

Why should I suddenly develop an allergy to seafood?

There must be an explanation for the fact that ever since I arrived in Germany in 1974 there has been no such allergic reaction, although I still eat plenty of fish and other seafood.

Is there a difference between fish in Vietnam and fish in Germany?

Of course there is. Vietnamese seafood is heavily contaminated with dioxin.

For almost ten years, between 1962 and 1971, 45 million litres of Agent Orange were sprayed all over Vietnam. To give a relation for Germans: This is 150 times the capacity of the so-called 'Badeschiff' in Berlin, a large swimming pool in the river Spree. This quantity would be enough to destroy an area of almost 400,000 square kilometers of rain forest or arable land. Germany has an area of 357,104.07 square kilometers.

⁸² Dieu Hao Abitz, manageress and owner of Abitz.com GmbH, was born in 1953 in Hanoi, Vietnam. That is where she studied dentistry. She moved to Berlin in 1974 after she married her German penpal in Saigon. She graduated with a diploma in chemistry at Berlin Technical University. She did further studies in the field of artificial intelligence and expert systems as a mother of two small children. Since that time she has been working as a self-employed programmer. She finished third in the "2006 Berlin Female Entrepreneur of the Year Award", which was one of the honours she received for her success with marketing of language and encoding software.



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The worst thing about this chemical warfare was the contamination with 2,3,7,8-tetrachlordibenzodioxin (TCDD), an ingredient of Agent Orange. TCDD is considered to be 'the most poisonous chemical compound produced by man'. A super-dioxin! 80 grams could kill the entire population of New York City, about 19 mio. people. About 366 kilograms of this murderous substance were sprayed over forests and rice fields, and over the heads of people who happened to be present there, no matter if they were North Vietnamese, South Vietnamese, or US soldiers. The destructive effect was comparable to the dropping of the atomic bombs over Hiroshima and Nagasaki – only without explosions, without mushroom clouds, without fire.

People were immediately harmed in the form of:

- Chlorine acne. The most well-known case of this is Wiktor Juschtschenko's face, who was poisoned by dioxin while he was running for President of the Ukraine.
- Prolonged nausea, vomiting, lack of appetite, insomnia, headache, irritability, depression, a general change of psyche, and fatal organ defects, especially of the liver.

I am now aware that in 1970 my liver was showing symptoms of some kind of dysfunction.

Dioxin is accumulated in fish, which are at the end of the food chain.

Which long-term damages will I develop?

To the present day a large number of Vietnamese are handicapped. This is of course a consequence of the dioxin contamination described above. I am very happy that my two daughters were born undamaged.

History will be forgotten if we do not remind the public again and again.

I will take every chance to bring back to memory the Vietnamese tragedy. So I have worked with CHAO e.V. ('Charity and Help for Agent Orange Victims', a registered association). I convinced Mr Eric Hölperl of Bauhaus-Universität Weimar to write a thesis on 'Agent Orange in Vietnam'. He travelled to Vietnam at his own expense and composed a photographic report. A quote: „According to official estimates about one million Vietnamese are still affected by long-term effects. Because of the many areas badly contaminated by Agent Orange there is an ever-present danger even today to get in contact with dioxin.“

Is this not reason enough to continue making all this public even after 50 years?

Fortunately for me, the greatest itch today is to talk about it. We hope that this will help.



Greetings

Diane Wilson (USA)⁸³

There are many crimes too enumerable to count that can be laid at the feet of DOW CHEMICAL. DOW CHEMICAL has been widely denounced as a war criminal for its role in producing napalm and Agent Orange for U.S. troops in Vietnam. Later Dow was at the center of controversies over dioxin and defective breast implants made by its Dow Corning joint venture,

During the 1960s the medical director at Dow's huge facility in Freeport, Texas began reporting evidence of genetic damage in workers exposed to benzene and epichlorohydrin. Dow management, however, did not want employees to be notified of the danger.

In 1984 a group of workers employed in banana plantations in Costa Rico filed suit against Dow, alleging that they suffered harm, including sterility, from exposure to the pesticide DBCP produced by the company and used on the plantations.

In 2002 a lawsuit was brought by the environmental group, San Francisco BayKeeper, charging that DOW CHEMICAL had unlawfully discharged contaminated water at its Pittsburg, California plant.

In 2008 Dow, which had been government contractors at the former Rocky Flats nuclear weapons plant in Colorado, was ordered by a federal court to pay more than \$900 million in damages and interest to nearby residents who claimed they were harmed by airborne contamination.

For me, however, the most disturbing crime has been DOW CHEMICALS relentless refusal to accept liability for the Bhopal disaster. When Dow acquired Union Carbide in 2001, it became embroiled in the controversy surrounding the Bhopal disaster, one of the worst industrial accidents of all time. More than 8,000 people died in the immediate aftermath of the incident and many more thousands have suffered serious harms from exposure to the gas, including genetic damage that affected their offspring. To date more that 20,000 have died from the effects of that toxic release.

DOW CHEMICAL is one of the 6 chemical corporations located in my county on the Texas Gulf Coast that discharges toxic chemicals into the land, air, and water. Any day that I choose to drive past that massive facility a toxic soup of chemicals meets me. Many of the fishermen from my hometown have lost their shrimp boats from a toxic legacy of fifty years of contamination from these chemical plants and, ironically, now work for DOW CHEMICAL.

⁸³ Diane Wilson lives on the Gulf coast of Texas, USA and she is a fourth generation fisher. For 25 years she has been fighting big companies who pollute the sea with their waste water, thereby ruining her livelihood. This has turned her into a long-standing and adamant opponent of corporate power and profiteering. She is active not only against the destruction of the environment, but also against warmongering and oppression of women. More than 40 times she was arrested and served prison sentences for her non-violent civil disobedience. This turned Diane Wilson into a harsh critic of conditions in prisons. In 2006, she received the International ethecon Blue Planet Award from ethecon Foundation Ethics & Economy for her achievements for the salvation of our planet. Since 2015, she is coordinator for North America with the INTERNATIONAL CAMPAIGN FOR JUSTICE IN BHOPAL (www.bhopal.net) for critical action against DOW CHEMICAL.



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In 2002 I staged a 30-day hunger strike in support of the Bhopal survivors outside the Dow/ Union Carbide facility at Seadrift, Texas. After the strike I climbed Dow's 90-foot chemical tower and dropped a flag demanding justice for Bhopal. DOW CHEMICAL pressed charges and I spent 120 days in the jail and received a \$2,000 fine.

I had a larger bail, spent more time in jail, and paid a larger penalty than Union Carbide's (now Dow) CEO did for the now 20,000 estimated dead from the massive pesticide leak in Bhopal, India. As I sat in my truck outside the Dow facility, one of the Dow officials, commenting on the paltry sum of money paid to the Bhopal dead, said, "\$400 is plenty good for an Indian."

Bhopal must never be forgotten and Ethecon's awarding of the Black Planet to DOW CHEMICAL is a tremendous and hopeful step in the right direction. Thank you so very much for bringing DOW CHEMICAL the attention they richly deserve.

In solidarity

(in our own name and in the name of SAN ANTONIO BAY WATERKEEPERS⁸⁴, der Texas Injured Workers⁸⁵, Calhoun County Resource Watch⁸⁶ and Codepink⁸⁷)

⁸⁴ SAN ANTONIO BAY WATERKEEPERS (SABW) are an NGO campaigning for the environment in San Antonio Bay in the Gulf of Mexico.

⁸⁵ TEXAS INJURED WORKERS are an alliance of chemical workers in Texas, mainly from the Gulf of Mexico region, who fight for just compensation for the damages to their health which they have suffered.

⁸⁶ CALHOUN COUNTY RESOURCE WATCH are an NGO standing up for the protection of the environment of Calhoun County near the Gulf of Mexico.

⁸⁷ CODEPINK are a US action group dominated by women who are campaigning for peace (www.codepink.org).

Greetings

Colin TooGood (Great Britain)⁸⁸

What more worthy winner could there be of the ethecon Black Planet Award than the DOW CHEMICAL Company?

Possibly the worst industrial disaster of all time, the 1984 Bhopal Gas Disaster, killed thousands within days and maimed perhaps a half a million others. Thousands more have died, over the intervening years and, thanks to the shocking, arrogant intransigence of the responsible parties, vast amounts of toxic waste continue to poison the local population.

On a multitude of levels, the Bhopal Disaster serves as a vile exemplar of corporate abuse and astride the issue sits the DOW CHEMICAL Company. DOW CHEMICAL acquired Union Carbide outright back in 2001, and following completion of the merger, its officials claimed to have conducted an "exhaustive assessment" of UCC. But even a cursory browse of the internet would have discovered unaddressed liabilities relating to the Bhopal Disaster including mass homicide charges clinging pertinaciously to it, charges from which it had already been on-the-run for 9 years.

But Dow executives didn't even have to depend upon their own handsomely paid lawyers to warn of the dangers. As soon as news of the planned takeover emerged, Bhopal survivor organisations wrote to Dow's headquarters counselling that the company would be in grave jeopardy should the merger go ahead.

The following spring, a Dow shareholder's court action observed that the two companies were withholding information, concerning UCC's criminal and environmental liabilities, from regulatory authorities in the U.S. concerned that they would eventually become Dow's. Every member of Dow's board was named in the action, which was successfully thwarted - on a technicality - by Dow's lawyers.

Dow would seem to have made a distinction between dealing with various Union Carbide liabilities across different jurisdictions. Dow claims not to have settled any UCC liabilities. But, evidence suggests that it accepted liability for asbestos claims against UCC, in the United States, pre-dating the merger. When Dow settled a suit on behalf of UCC on Jan 9, 2002, it wiped \$7.16 billion from Dow's share price.

Dow continues to assert that all Bhopal related litigation was settled with a 'full and final' settlement in 1989 but this is simply not true. Dow is a named respondent in both civil and environmental cases relating to Bhopal and, in addition, UCC is still wanted on the criminal charge of culpable homicide not amounting to murder for its part in the tragedy. UCC never answered the charge and Dow has been

⁸⁸ Colin Toogood works as a campaign manager for BHOPAL MEDICAL APPEAL in London (BMA/www.bhopal.org). This NGO collects money for looking after the victims who are left alone by DOW Chemical Company and the Indian government. BMA's people are crucial for financing several self-governing clinics in Bhopal.



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served notice, on several occasions, requesting it explain UCC's non-appearance but continues to ignore the Bhopal courts.

Dow seems to prefer to apply its own economic muscle, along with high level U.S. government influence, to pressure the Government of India into taking action that would release it from its Bhopal liabilities. In 2010, U.S. national security official Michael Froman, one of President Obama's top economic advisors, threatened that the lawful pursuit of Dow, within India's own courts, could "have a chilling effect upon our investment relationship."

Equally, whilst this awful tale rumbles on, Dow has encountered some difficulty with its planned business expansion in India, encountering regular and repeated protest by and large on the basis of the ongoing Bhopal Disaster situation, and there remains some hope that its own shareholders might finally force it to take full responsibility. What a dreadful, cruel irony that the only way to have Dow accept this liability is for it to understand that its own business interests will otherwise suffer.



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Greetings

Ann Wright (USA)⁸⁹

As a retired US Army Colonel, I want to support the nomination of DOW CHEMICAL for the Black Planet Award because of its manufacture of napalm and Agent Orange that was used during the U.S. war on Viet Nam.

DOW CHEMICAL knew that these chemicals would be used by the US military on humans and felt no remorse in selling them for this use. These chemicals severely harmed hundreds of thousands of Vietnamese and their effects are felt three generations later.

United States military are now compensated for their exposure to Agent Orange and their offspring are affected. Veterans for Peace, an organization that I am a member of, has a special project to bring greater awareness of the long term effects of Agent Orange and demand accountability from DOW CHEMICAL.

DOW CHEMICAL definitely qualifies for the Black Planet Award for terrible harm done to our planet and humanity.

⁸⁹ Ann Wright is a retired US army colonel and member of VETERANS FOR PEACE www.veteransforpeace.org.



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Greetings

Satinath Sarangi (India)⁹⁰

The United Nations Environment Programme presented a globally worrisome fact in its Global Chemicals Outlook Report of 2012. According to this report diseases caused by industrial pollution are among the top five causes of death worldwide. As the largest emitter of Dioxin and as producer of a vast array of hazardous chemicals, DOW CHEMICAL is responsible for a very large part of the millions of deaths caused by industrial pollution in the world. The International Labour Organization estimates that close to 3 million workers in the world die every year due to occupational hazards. Given its long history of negligence towards occupational health and safety, it is also quite likely that DOW CHEMICAL is responsible for a substantial part of the work place deaths worldwide.

In addition to causing millions of untimely deaths through its routine commercial operations during peace time, DOW CHEMICAL is also responsible for causing diseases of the cardiovascular, nervous, reproductive, immune, endocrine and other systems due to the large number of toxic chemicals released into the environment. Additionally several of DOW CHEMICAL's products are known to be carcinogenic, mutagenic and teratogenic.

Given DOW CHEMICAL's direct involvement in mega death and disease worldwide it is supremely ironical that DOW CHEMICAL is also involved in the production of chemicals and reagents that are used for production of a range of medicines Dow Healthcare & Medical which is part of the DOW CHEMICAL empire thus profits from the illnesses caused by other branches of the empire.

In addition to all that has been said against DOW CHEMICAL's criminal operations, its routine profiting from diseases caused by itself deserves special mention.

⁹⁰ Bhopal activist and founder/leader of self-governed Sabhavana Trust Clinic in Bhopal, helping tens of thousands of victims free of charge. He is an engineer of metallurgy who rushed to the scene of the 1984 Bhopal poison gas disaster immediately and who has helped on the spot ever since.

Greetings

Simone Fischer (Germany)⁹¹

Bhopal. Capital of Madhya Pradesh, a state in central India. The name sounds like a hundredweight heavy rock. The name has come to stand for a cautionary tale of greed, irresponsibility, and human failure. To this day, the city is still closely associated with one of the worst chemical and environmental disasters in world history. A pesticide plant belonging to the US corporation Union Carbide exploded here on December 3, 1984. A cloud containing 40 tons of lethal gases covered over neighbouring and densely populated slums. 2,000 people were killed immediately by the toxic cocktail. 8,000 more lost their lives in the days following the disaster, due to their exposure to the toxic gas cloud. To date, more than 20,000 people have died from the after-effects of the disaster. Over 150,000 people live with chronic illnesses, suffering the consequences of gas poisoning which even affect the third generation now growing up. The adverse health effects include loss of sight, lung damage, stomach disorder, paralysis and infertility as well as heart, kidney and liver disease. An increased rate of malformations in newborn babies as well as stunted growth in children in the area many years after the event are also largely attributed to the disaster.

Contaminants can still be found in Bhopal's soil and groundwater. They were never cleaned up. Union Carbide has abandoned the local communities. They have never received appropriate compensation – not from the corporation, not from the state. Neither Union Carbide nor its successor company DOW CHEMICAL have ever released information on the composition of the toxic gas cocktail which was released into the air. Similarly, there is no indication of adequate medication or treatment. The only known factor is that Union Carbide paid a lump-sum settlement of \$478 million to the Indian government in 1989. However, most of those affected never saw any of this money: only 40,000 victims received compensation of up to €1,600. Bhopal residents waited in vain for effective help or constructive support.

In 2001, the pesticide manufacturer was taken over by DOW CHEMICAL. This, however, has not resulted in any changes. Not even in its board members. James M. Ringler, former chairman of the board at Union Carbide, remains on the board of what is now DOW CHEMICAL. The corporation does not accept any legal responsibility for the worst chemical spill in history. This completes a harrowing picture illustrating a collective abnegation of responsibility at the expense of people who – because of their origin or caste, because they have a disability or are a widowed woman – have been branded as out-

⁹¹ The author holds a degree in German studies and History from Heinrich Heine University Düsseldorf. She is a published journalist whose articles have appeared e.g. in the German newspapers Die Zeit and Rheinische Post. After stints with broadcaster NDR and TV production company Focus TV, as well as German-language newspaper Baltische Rundschau in Lithuania, Estonia and Latvia, she worked as an editor in Düsseldorf and London. In April 2004, she took a position as Press Officer and Head of Communication and Marketing in Düsseldorf. She is actively involved in the work of German NGO IndienHilfe Deutschland e.V. To carry out voluntary project work for the organisation, she recently spent six weeks in India, three of which in Bhopal. Her new book "Tage in Indien" is to be published shortly.



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casts by the Indian caste system, and are struggling every day just to get by. The devil's wheel continues to turn, fuelled by economic efficiency, profit maximization and irresponsibility. An inhumane picture. A sad picture. As sad as the hopelessly bleak aspect of the inactive and decayed industrial object itself.

Once again, it is the poorest of the poor who are bearing the brunt: Those who lived in the surrounding slums when the disaster happened. Those who survived the catastrophe and those who were born into a cycle of poverty which they find impossible to escape. The corporation sees no need to clean up the factory site which is surrounded by densely populated slums housing millions of people, nor to tackle the issue of contaminated groundwater in the area. Therefore, it is rather bemusing to see the following stated on DOW CHEMICAL's website:

"To us, sustainable chemical science means considering the future in every decision we take. Economic prosperity, social values and environmental protection go hand in hand for us. And the safety of our staff and of the people living in neighbouring communities is our top priority at all Dow sites."

This sounds pretty good. If you didn't know the tragic story behind these words, you would never guess it. The Bhopal memorial tries to tell this story. It was erected one year after the disaster outside the walls of the contaminated site alongside a busy main road. It was created by Dutch artist Ruth Watermann together with the widows of Bhopal. It is a sculpture of a blind mother and her child. Her right arm holds her dead baby. With her left hand, she covers her eyes. The message is powerful and clear. To this day, the survivors are fighting for justice, clean drinking water, long-term medical care and financial compensation. But except for a few tourists, this bleak place of steel ruins does not usually get much footfall. The disaster and notably its victims have been completely forgotten. The sculpture rests on a plain base and is fenced off by low iron fencing. Rubbish is strewn on the ground. The memorial is ignored. So is the weathered writing on the factory walls which says 'Save the victims'. Ignored, just like the victims themselves. They were being ignored then. And they are being ignored now.

Instead of a greeting letter Yes Men (USA)⁹²

The „confession“ made by a „spokesman“ of DOW CHEMICAL in the BBC-News on Dezember 3rd, 2004, the 20th anniversary of the Bhopal disaster⁹³

Dow has a lot of skeletons in the closet. There's Agent Orange, napalm, DDT, Dursban, Rocky Flats, and a great, great deal more.⁹⁴

But Dow wasn't the uncontested world leader in industrial accidents until they bought Union Carbide in 2001, and with it the legacy of the Bhopal catastrophe.

Dow claims the company inherited no liabilities for the Bhopal disaster, but the victims aren't buying it, and have continued to fight Dow just as hard as they fought Union Carbide.

That's a heavy cross to bear for a multinational company; perhaps it's no wonder Dow can't quite face the truth. The Yes Men decided, in November 2002, to help them do so by explaining exactly why Dow can't do anything for the Bhopalis⁹⁵: they aren't shareholders. Dow responded in a masterfully clumsy way, resulting in a flurry of press.

Two years later, in late November 2004, an invitation arrived at the 2002 website, neglected since. On the 20th anniversary of the Bhopal disaster, "Dow representative" "Jude Finisterra" went on BBC World TV to announce that the company was finally going to compensate the victims and clean up the mess in Bhopal. The story shot around the world, much to the chagrin of Dow, who briefly disavowed any responsibility as per policy. The Yes Men again helped Dow be clearer about their feelings.

The YES MEN decided to act. On December 3, 2004, exactly the twentieth anniversary of the Bhopal disaster, Andy Bichlbaum, a member of the YES MEN team, succeeded in appearing on BBC World as "Jude Finisterra", a DOW CHEMICAL spokesman. The Yes Men decided to pressure Dow further, so as "Finisterra," Bichlbaum went on the news to claim that Dow planned to liquidate Union Carbide and use the resulting \$12 billion to pay for medical care, clean up the site, and fund research into the hazards of other Dow products. The DOW speaker „Jude Finisterra“ announced to more than 223 million spectators around the globe⁹⁶:

“... today I'm very, very happy to announce that for the first time Dow is accepting full responsibility for the Bhopal catastrophe. We have a \$12 billion plan to finally, at long last, fully compensate the vic-

⁹² The Yes Men Group are a web art activist group based in the US engaged in communication guerilla tactics. They became famous in 2001 with a forged WTO website. Their two leading members are known under pseudonyms – “Andy Bichlbaum” and “Mike Bonnano” are the most active (theeyesmen.org/hijinks/dow).

⁹³ Report is based on texts written by YES MEN.

⁹⁴ <http://www.studentsforbhopal.org/DirtyDow.htm>

⁹⁵ <http://www.theeyesmen.org/hijinks/bhopalpressrelease>

⁹⁶ http://www.democracynow.org/2004/12/6/yes_men_hoax_on_bbc_reminds



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tims, including the 120,000 who may need medical care for their entire lives, and to fully and swiftly remediate the Bhopal plant site.

Now, when we acquired Union Carbide three years ago, we knew what we were getting, and it's worth \$12 billion. We have resolved to liquidate Union Carbide, this nightmare for the world and this headache for Dow, and use the \$12 billion to provide more than \$500 per victim, which is all that they've seen, a maximum of just about \$500 per victim. It is not "plenty good for an Indian," as one of our spokespersons unfortunately said a couple of years ago. In fact, it pays for one year of medical care. We will adequately compensate the victims.

Furthermore, we will perform a full and complete remediation of the Bhopal site, which, as you mentioned, has not been cleaned up. When Union Carbide abandoned the site twenty years ago, or sixteen years ago, they left tons of toxic waste, which continues — the site continues to be used as a playground by children. Water continues to be drunk from the groundwater underneath. It's a mess, ..."

BBC denied their report a short time afterwards – and "Jude Finisterra" who took part in the BBC live interview was exposed as a YES MEN.

But in the meantime DOW CHEMICAL's stock exchange value had gone down by 4.2 percent or about two billion Dollars.⁹⁷

Only months after Andy's face had been on most UK tellies, he appeared at a London banking conference⁹⁸ as Dow rep "Erastus Hamm," this time to explain how Dow considers death acceptable so long as profits still roll in. A life-sized golden skeleton named Gilda helped explain to the bankers that just because something like Bhopal is a "skeleton in the closet," it isn't necessarily a bad one: it may be quite lucrative, i.e. "golden." The bankers applauded and swarmed "Gilda" for free keychains and licenses for the "Acceptable Risk Calculator".⁹⁹

Finally, on May 12, 2005, at Dow's annual shareholder meeting, "Jude Finisterra" addressed the Dow board to suggest the same thing he had on the BBC.¹⁰⁰ Two minutes later, Mike addressed the board as if he were furious that Dow wasn't clamping down sufficiently on activists - not nuns and victims, maybe, but at least scoundrels like "Jude Finisterra." Asked if Dow would pursue him, Dow Chairman Stavropoulos answered, "If you help me to find him."

⁹⁷ http://www.democracynow.org/2004/12/6/yes_men_hoax_on_bbc_reminds

⁹⁸ <http://www.theyesmen.org/hijinks/acceptablerisk>

⁹⁹ <http://www.dowethics.com/risk/>

¹⁰⁰ <http://www.theyesmen.org/hijinks/bbcbhopal>

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Draft

by the international Permanent Peoples' Tribunal (PPT)¹⁰¹ for a Charter on „Human Rights and Industrial Hazards“¹⁰²

International Permanent Peoples' Tribunal (PPT) [1] for "Human Rights and Industrial Hazards" Charter.

Formed because of devastating industrial disasters such as: Seveso (1976) Italy, Bhopal (1984) India and Chernobyl (1986) Ukraine, the Permanent Peoples' Tribunal (PPT / Permanent Court of Peoples) started to work (1991-1994) to address the lack of legal and medical protection of affected workers, residents and collateral and environmental local industrial risks.

Issues of civil protection, liability of operators, international law and many other problem areas of industrial production were addressed. The PPT was constituted on the 10th anniversary of the Bhopal disaster as a proposal for a "Human Rights and Industrial Hazards" Charter ("Industrial Hazards and Human Rights").

Part I –General Inalienable Rights

Article 1

No Discrimination

1. Everyone is entitled to all rights and freedoms set forth in this declaration, and without any distinction based on race, color, sex, language, religion, nationality, political opinion or membership of a political or ethnic group or social class caste, disability, sexual orientation, age, property and income, birth or any other status.
2. Considering the particular devaluation where women are confronted as paid or unpaid workers, it should be ensured that the rights mentioned below concern women particularly.
3. Special protection should be granted to children who are exposed to industrial hazards, considering their particular vulnerability, and exploitation in the labor market.
4. In regards to the relationship between low pay and high risk working environments, and to the disproportionate impact of industrial hazards to racial and ethnic minorities, these groups should be granted special protection.

¹⁰¹ The Permanent Peoples' Tribunal (PPT) is an international tribunal manned by 10 judges from all over the world (Constitutional Courts and others) plus 50 experts from various areas. PPT is the successor to the Russel Tribunal which was created as part of the worldwide protest against the Vietnam War for an independent inquiry into the terrible war crimes and human rights violations committed by the US. Ever since that time, the PPT deals with human rights violations, suggesting solutions for open human rights questions and urging for their implementation. Tribunal decisions are submitted to the UN General Secretary as well as to other important national and international institutions.

¹⁰² The ethecon founder Axel Köhler-Schnura participated in the final deliberations of the Human Rights Charter "Health, Safety and Environmental Rights" in 1994 in London, where he presented the case study of the "BAYER Group".

Article 2

Regarding other Rights

The rights in this Charter and other human rights, including civil, political, economic, social and cultural rights are universal, interdependent and interrelated. In particular, the freedom from health hazards, including the right to reject hazardous employment, is based on the full implementation of social and economic rights, including the right of education, health, and a decent standard of living.

Article 3

Right of Imputability

Everyone has the right to make liable individuals, businesses or government agencies for actions that lead to health hazards. In particular, umbrella companies, including transnational companies, who held accountable and liable for the actions of their subsidiaries.

Article 4

Freedom of organization

1. All members and workers of a polity have the right to associate freely with other polities, and workers, to strive for a work environment that is free of health hazards.
2. The right to organize includes, in particular:
 - (a) Freedom of expression, of association and peaceful assembly;
 - (b) The right to local, national and international organizations;
 - (c) The right to protest, political influence, training and exchange of information;
 - (d) The right to form trade unions;
 - (e) The right to strike or other forms of industrial action.

Article 5

Right to proper healthcare

1. Everyone has the right to adequate healthcare.
2. This right includes, in particular:
 - (f) The right of individuals and groups to assist in the planning and implementation of measures for healthcare;
 - (g) The right of individuals and families to equal access, of the kind of health care that is available to the community;

Article 6

Right to reject

1. All communities have the right to reject the introduction, extension or continuation of risky activities in their living environments.



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to board members Andrew N. Liveris and James M. Ringler
as well as to major shareholders of the chemical group
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2. All workers have the right to reject work in a risky work environments, without fear of reprisal by the employer.
3. The right to reject inappropriate legal, medical or scientific advice remains unaffected.

Article 7

Permanent State Sovereignty concerning living Environments

1. Each State shall retain the right to permanent sovereignty about their living environments, within its national jurisdiction. No State shall exercise this right in a way which is likely to endanger the health or life of the world and its inhabitants, or to harm the environments of other States, or areas beyond the limits of its national jurisdiction.
2. Every State has the right and obligation to his authority, ruled by way of exercise with regard to dangerous and potentially risky business practices, in accordance with the interests and welfare of the population and the environment.
3. For all countries
 - (a) Any State may be denied external financial help due to its refusal to import high-risk products or set up such manufacturing processes;
 - (b) No State may be forced to prefer foreign investment;
 - (c) No State may be subjected to external military, diplomatic, social or economic threats, or coercive measures, which are likely to affect rules or guidelines concerning hazardous modes of production, in their midst.
4. Transnational corporations and multinationals may not interfere in the internal affairs of the host country itself.

Part II –Community

Article 8

Right to life free of environmental Health Hazards

1. Everyone has the right to a living environment that is free of health hazards. This right is particularly applicable when hazards arise from:
 - (a) Production, sale, transport, distribution, use and disposal of hazardous materials;
 - (b) Any military technology or weapons application, irrespective of national security considerations.
2. Everyone has the right, in good faith, to bring an action against the owner or operator of a business enterprise in terms of activities, suspected by the applicant of harming the environment.
3. Every person who lives in an environment that is inevitably associated with hazards should have the right to secured measures, which are capable of protecting, as far as possible, from said hazards.

The owner or operator of a hazard-risk company may not reject to set up the most effective hazard protection system available; regardless of costs and/or other expenses.

Article 9

Right to environmental Information

1. Everyone has the right to be informed in an appropriate manner, according to planned measures for establishing, expanding or modifying potentially dangerous industrial facilities that could endanger public health or the environment. The complete realization of these rights will require the following steps to be taken:
 - (a) All States should ensure that communities, individuals and non-governmental organizations have the right to access complete information regarding planning. This right is to be effective well before official approvals, and should not be curtailed by reference to economic confidentiality;
 - (b) All States should ensure that before the official approval of a risky and potentially hazardous project, an independent and thorough assessment of the impact on the environment and the public health will be carried out with the participation of the community which may be affected.
2. Every person has the right to be informed, in their own language and in a manner intelligible to him or her, about potential hazards or risks associated with a product or production process, with which they may come into contact.
3. Every person has the right to information about the security protocols of any economic enterprises whose manufacture, or industrial production, might affect their living environment, including the number and type of accidents that have occurred, the amount of interference caused by such accidents, injuries and any potential health long-term damage.
4. Every person has the right to information about types and quantities of hazardous substances that are stored and used on a given company's premises, which are brought from out of terrain, in circulation, or are contained in end products. This right to information includes, in particular, the right to adequate access to directories of toxic emissions.
5. Every inhabitant of an environment in which it can come into contact with materials and production processes which are known to be highly risky and emanating from the operating activities of a business enterprise, has the right to periodic examinations by a medical professional, who is paid by the owner or operator of said company.

Article 10

Right to participation of the community

1. Every person has the right to participate in the planning and the decision-making processes that affect his/her own environment.



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2. Every person has the right to participate in the planning and the decision-making processes, which has the following characteristics:
 - (a) Publicly and freely accessible;
 - (b) Available to everyone in terms of time and place;
 - (c) Posted far and wide in advance;
 - (d) Without being restricted by requirements on reading and writing abilities, specific language skills or type of posted document.
3. Every person has the right to express his/her concerns and objections with respect to risks associated with the creation, modification or expansion of business enterprises.
4. Every person has the right to participate in the design and execution of ongoing studies to determine the nature of risks to the environment, caused by a commercial enterprise.

Article 11

Right to environmental monitoring

1. Every person has the right to regular and effective monitoring mechanisms for his or her own health, or to the health of the environment. Monitoring will take effect for the detection of possible short and long term damage caused by hazardous or potentially hazardous manufacturing processes.
2. Every person has the right to be taken into account when it comes to the frequency, the nature and objectives of environmental monitoring. The right to non-professional monitoring strategies such as organizing layman epidemiology should be protected. The rights of women should be reaffirmed, for their experience in healthcare may uncover, as of yet, unknown environmental hazardous risks.
3. Every person, who believes in good faith that the environment of one's community is threatened by the activities of a given business enterprise, has the right to a prompt and thorough investigation, carried out by an independent party, at no cost to the person making the claim.

Article 12

Right to public Education

1. Every person has the right to an effective information disclosure as it pertains to potential health hazards in his/her own community. This right also includes training, on the basis of the best possible information and standards, using national and international sources.
2. States shall take effective measures to:
 - (a) Clear and systematic labeling of dangerous substances;
 - (b) Adequate training at the local level, including teaching of children, about hazardous substances and production methods;

(c) Training police, doctors and other service providers about hazardous products and production methods.

Article 13

Right to local measures of emergency preparedness

1. Every person has the right to adequate measures of emergency preparedness, including the provision of warning systems in imminent danger and mechanisms for immediate relief.
2. All States should take measures to equip communities with adequate emergency services, including the provision of appropriate structures for the police, fire department, medical and paramedical services, and disaster management.

Article 14

The right to the enforcement of environmental laws

1. Every human being has the right to have his/her life's environment inspected appropriately and regularly by a trained environmental inspector who checks strict compliance with the law and is able to initiate prosecution according to penal law in case of violations.
2. Every human being has the right to legislation on environmental management based on the precautionary principle, so in case there is a threat of a serious and/or irreversible damage the lack of scientific proof cannot be the reason for delaying costly measures for the prevention of dangers to health and of environmental damages.

Article 15

Rights of indigenous people

1. Indigenous peoples have the right to a healthy habitat. Their economic, social and cultural assets should be protected from industrial risks and environmentally destructive practices caused by business enterprises.
2. Indigenous peoples have the right to control their land and manage the resources of their land, including the right to assess potential impacts to the environment. They have the right to reject the establishment of environmentally hazardous or environmentally destructive industries on their land.

Part III –Rights of Workers

Article 16

Special worker rights

About their rights as members of a community, beyond their intrinsic job rights, which are applicable to their work environment.



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Article 17

Right to hazard free working environment

1. Workers have the right to a work environment that is free from any foreseeable hazardous risks, which are directly or indirectly created by business enterprises, particularly from the stand point of manufacturing or other industrial processes.
2. Every worker is entitled, in good faith, as a congregation, and/or with help outside parties', to sue in order to keep records, or to put a stop to conditions or harmful practices in the workplace. He or she should not be in fear of retaliation from his or her employer or any other discriminatory measures.
3. A working environment, in which all risks cannot possibly be banned, the right to claim for assistance; all guards and safety devices, including appropriate equipment, to be free and readily available, including personal protective equipment that is needed to eliminate hazards as much as possible. Employers may not reject providing the most effective equipment available for reasons of cost or because of the expense.
4. Workers have the right to safe working systems, and all employers are required to plan such systems, to provide, to maintain them and to regularly bring them up-to-date.
5. Workers should not be exposed to dangerous chemicals that could otherwise be substituted by a less dangerous substance.
6. Governments and employers are responsible for the creation of work environments that are free from health hazards. The inaction of the two sides should be no reasonable justification for the breach of duty to all the parties involved.

Article 18

Right to health and safety information

1. All workers have the right to obtain adequate information when changes are planned in the work environment that may pose a threat to health and safety.
2. Workers have the right to be informed of any known health hazards associated with any of these substances, or work processes with which they have to handle during the time of their employment, in their own language, and in a way they can understand.
3. All workers have the right to know the safety report, which was made about their work environment, including the type and number of accidents that have occurred, the extent of damages and any known long-term health hazards emanating from starting, materials, and workflows by said established employer. Workers have the right to be regularly informed of safety reports of each company, which is connected to the company where they work, through common ownership.
4. Workers who are employed in an environment where they come into contact with notoriously dangerous substances and accident-prone workflows, have a right to medical examination by an inde-

pendent expert, and the employer has to provide said services at the beginning of employment. The initial examination should further be made periodically, emanating from the most conservative estimate of health hazard risks, but are not more than a year apart; the medical result is to be communicated to the workers at large.

Article 19

Right to participate

1. All workers have the right to effective participation in management decisions that improve the health and safety of workers.
2. All workers have the right to choose safety representatives. These representatives have the right to participate in joint committees, composed equally of representatives of the workers and the management, which meet regularly and deal with health and safety issues.
3. All workers have the right to participate in the design and ongoing health and safety studies to determine the nature of any risks to health and safety.
4. All workers have the right to set up local centers for risk assessment and relevant information networks and / or to join them. Governments and employers are required to support such organizations and programs.

Article 20

Right to health and safety monitoring

1. All workers have the right to operate in a working environment that is checked regularly and effectively for risks to the health and safety of workers, who are employed in the area.
2. Notwithstanding is the obligation of the employer to investigate work environments, the workers remain the right to seek independent or carried out by workers exams. This right includes the right to regular monitoring to prevent possible long-term risks that may result from contact with substances, materials or production processes in the working environment.
3. Any worker who believes in good faith that his health or safety is at risk, or that he or she will be in contact with substances, materials or production processes in the working environment, has the right to a prompt and thorough investigation by the employer, an independent agency or without the worker arise in another way, without costs to the workers.

Article 21

Right to instruction and practical training

1. Workers, who work with dangerous or hazardous sources and materials, and in accident-prone processes, have a right to accompanying instruction on the appropriate use of hazardous materials



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and output. The right to instruction and practical training on the basis of the best possible information from national and international sources is hereto affirmed.

2. All workers and supervisors have the right to know and be fully instructed about the proper use and handling of any hazardous materials, the proper execution of any processes, the precautions necessary to protect health, safety and the living environment, and any procedures which should be followed in the event of an emergency.

Article 22

Right to measures of emergency preparedness in the workplace

1. All workers have the right to emergency preparedness measures, which are the conditions and procedures appropriated in their work environment. These measures should include warning systems for impending hazards and systems of immediate relief, Also it is required for realistic exercises of processes and frequent desk simulations to mitigate health hazard risks.
2. The process of emergency preparedness should consider the specific needs of individual workers, including the needs of persons with visual, hearing or mobility disabilities.
3. All workers have the right to appropriate emergency services, including police, fire, medical and paramedical services and the disaster management.

Article 23

Right to claim health and safety laws

1. All workers have the right to examine their working environment properly, and at regular intervals, by a trained health and safety inspector who strictly monitoring compliance with the law and initiate serious violations prosecutions.
2. All workers have the right to adequate legislation for planning control, on the basis of the precautionary principle, so that in the case of serious and / or irreversible damage, lack of scientific repudiation is not recognized as a reason to delay cost-effective measures for the prevention of health risks and environmental damage.

Part IV –General Rights Covered

Article 24

Right to assistance and compensation

1. All persons injured or adversely affected because of polluting production processes, have the right to fast, comprehensive and effective assistance. This law is applicable to all hazards or potential hazards affecting people, including those who were not yet born at the time of the injury or the contact, and persons who have been directly or indirectly physically or materially damaged or economically disadvantaged or have been socially affected by said hazards.

2. This right includes the right to fair and adequate compensation to cover all costs associated with hazardous or potentially hazardous production processes, including the costs of:
 - (a) Drugs, tests, treatments, hospital stays and other medical treatments;
 - (b) Travel and other related costs;
 - (c) Loss of income, bridging loans and other financial losses;
 - (d) Unemployment due to the closure of a plant;
 - (e) Additional unpaid work, including care by the family and the community;
 - (f) Payment of aid and / or assistance and compensation for lost opportunities in life, directly or indirectly caused by hazardous processes or products;
 - (g) Restoring the environment.
3. All persons affected by health threats have the right to effective and innovative policy measures for reducing dangers and are entitled to compensation. To realize this right, the following measures of States and business enterprises should be undertaken:
 - (a) Closure of production;
 - (b) Reduction or avoidance of environmental pollution;
 - (c) To be guaranteed by the accused, assets for untouched compensation measures;
 - (d) Forced liquidation of the assets of a company, if the obligations correspond to the measurable assets or exceed them;
 - (e) Placement of the company's assets in annuity funds, which are controlled by injured parties or their representatives;
 - (f) Fair and reasonable compensation for the cost of medical assessment of symptoms;
 - (g) Other remedies that seem necessary for the benefit of the persons concerned.
4. To satisfy the demands of affected people, in the presence or in the future adequate funds, will be launched.

Article 25

Right to immediate interim support

1. All people who have been adversely affected by harmful economic activities have the right to immediate and appropriate interim support, to alleviate their injury and suffering, for a period of time in which the final liability and compensation has not yet been determined. States should ensure that all hazardous or potentially hazardous enterprises meet by insurance or otherwise financial provision, in their corresponding necessary monetary sums.
2. In the event that a business enterprise neglects this required precaution, it should be assisted by the State. In this way, interim assistance granted will not be counted against judicially determined final compensation, which corresponds to the potential cost of interim support payments.



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Article 26

Right to medical information

All people, including unborn people who are harmed directly or subsequent harmful acts, have the right to obtain relevant documents concerning such damage, including medical records, test results, and other pertinent information.

This right may be invoked at the earliest opportunity and should not be hampered by delays or infringements by the government or the industry. Such disclosures may not be made in a way that prejudices the right of the person concerned to gain access to a service, insurance, employment or of any other social opportunities.

Article 27

Right to professional services

1. All persons who are harmed by hazardous activities have the right to access effective professional services, including the services of lawyers, journalists, scientific experts and medical professionals.
2. In contentious issues of scientific or medical in nature, all the persons concerned, or their representatives have the right to independent advice, free of fear of retaliation. The calculation on independent advice is reaffirmed.
3. Professionals and experts should refrain from the following behaviors:
 - a. Advice on the basis of inadequate information or expertise;
 - b. Obstruction of efforts of workers or communities to information, also by own research or collecting data with the help of lay epidemiology or other methods.
4. All professionals who are in possession of information regarding the health of damaged or persons affected by health hazards, shall be the primary responsibility for the welfare of this person. This obligation should at all times take precedence over all loyalty to third parties, including a government, a professional organization or a business enterprise.

Article 28

Right to effective legal representation

1. Any person adversely affected by harmful acts has the right to seek independent legal advice.
2. All states should provide free legal counsel and legal representation by an independent legal expert, to be available when the interests of justice require it.
3. When deciding on any action, the persons concerned must substantiate their claims:
 - a. Under the leadership of a labor organization or a community organization, or
 - b. By collective actions, in which the rights of all persons concerned to decide in a process.

4. All persons who bring the action in court, or try to collect, have the right to inspect any relevant records from their legal representative.

Article 29

Choice of jurisdiction

1. Any person who has been injured through harmful actions has the right to express his or her own complaint against the alleged tortfeasor, including individuals, governments, companies or other organizations, in the court of his choice. No State shall penalize such persons on the basis of nationality or place of residence.
2. All States should ensure that in the specific case of legal claims arising from the effects of hazardous actions, legislation, policies and principles of law that would otherwise impede the pursuit of these claims, will not prevent the application of data subjects to full and effective compensation.

Article 30

Right to documentation of the preliminary

All persons damaged by harmful actions and their representatives have the right to seek relevant documents, files or other information and get handed to them for the court or other independent tribunals or forums presented with the aim during the process, the liability of individuals to establish companies, organizations or governments.

Article 31

Right to a fair trial

All persons damaged by harmful actions should have the right to be heard within a reasonable amount of time by an independent and legitimate tribunal, including the right to a fair trial, such that:

- (a) The right to withdraw from class actions;
- (b) The right of early information before an out of court settlement is finished in a civil action;
- (c) The right to bring a lawsuit, even after exceeding the legal statute of limitations by administrative, legislative, judicial or other measures;

Article 32

Right to freedom from deception and delay

All persons damaged by harmful actions should have the right to be protected against fraud by companies, governments or other entities. Furthermore, any form intended to delay or frustrate shall remain under the legal process, including:

- (a) The declaration of bankruptcy;
- (b) Abuse of Procedure for delaying a decision;
- (c) The falsification of evidence.



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Article 33

Right to enforcement of judgments or comparisons

All persons damaged by harmful actions and their representatives should have the right to enforce judgments or comparative results against the assets of the liable party, or the party in the arrangement procedure in any other country. It shall be the duty of every State to provide, within its legislative framework, comprehensive legal instruments to be made available to support each affected citizen.

Article 34

Right to reverse the burden of proof

1. In case of prima facie evidence that the death or injury was caused by an exposure to an industrial production process; the hazardous companies must prove that it has not acted negligently.
2. No person, who has been the victim of hazardous activity, should be concerned with excessive demands pertaining the documentation, or rigorous proof standards, in order to justify that the hazardous activity has caused their disease or its symptoms. The link between risk and disease is to be adopted, if the person(s) concerned has to prove:
 - (a) That they suffer from symptoms that are usually associated with harmful substances, or any of its components that have been released into the environment;
 - (b) and
 - (i) That they have resided in the area during the period of contamination;
 - (ii) . Or that they belong to a group of persons that is usually considered secondary victims, including infants, children, spouses or other related partners.

Article 35

Law on criminal liability of companies or states

1. All persons who have suffered from industrial hazards, injury or death, have the right to full criminal investigation into the conduct of said business enterprise, including but not limited to government officials and all interested parties and/or organizations. The investigation should be carried out promptly and rigorously, and should include offenses such as: murder, manslaughter. If sufficient evidence is found, a prompt and vigorous prosecution should be conducted.
2. Where criminal liability of a company and or individual is proved, such fines and or prison sentencing are to be imposed as to have a punitive, exemplary and deterrent effect.



Article 36

Right to safe extradition

If a person who is charged with an offense in connection with harmful actions, in a country living outside the jurisdiction of the process is staying, hereby the right is confirmed to seek the extradition of the accused, to the jurisdiction of the State who is making the claim.

Part V –Enactment

Article 37

Corresponding Obligations

All persons who individually or in association with others to protect the principles set out in this Charter obligation. Employers and government officials are under strict obligation to ensure the judicious application of rights. Unions, charities and non-governmental organizations are a special responsibility for achieving the provisions of this Charter.

Article 38

State responsibilities

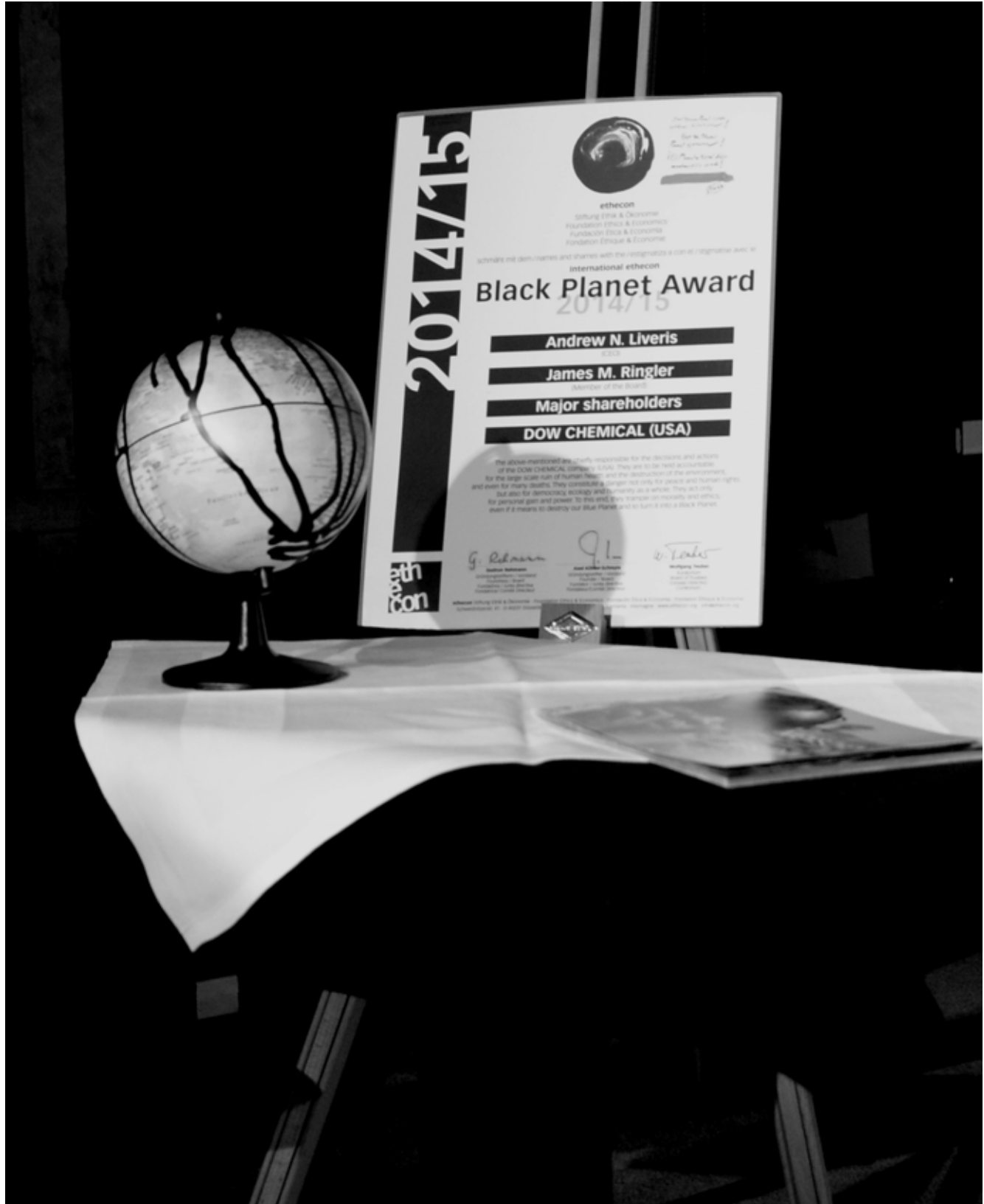
All States should respect the right of workers and communities to live free of industrial health hazards. Consistent with this, they will carry out legislative, administrative and other measures that are necessary for the implementation of the rights contained in this Charter.

Article 39

Non State Action

The lack of public policies to enforce and protect the principles set out in this Charter is not blotted out the obligation of employers, trade unions, non-governmental organizations and individuals to make these rights and protect them.

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The International ethecon Awards

Both International ethecon Awards are given only to persons and not to institutions in order to counteract the anonymisation of decisions which has been increasingly and systematically practised in the realm of social processes. In both the positive and negative ways it is always humans who bear responsibility. Especially when it comes to negative developments, the responsible love to hide behind the facade of some institution, to blame (alleged) "practical constraints" and "(unavoidable) inherent necessities" for (forcing) their decision.

Both International ethecon Awards have been assigned since 2006. Each year, in spring, an international call is sent out to up to 10,000 organisations and people all over the globe, in which ethecon - foundation for ethics and economy - asks for submission of proposals for the recipients of the two awards. From all the proposals received the prize-winners are then determined in a well-defined procedure.

ethecon's Blue Planet Award is presented within (the framework of) a festive celebration and handed over to the award winner, who is invited and usually (if possible) present in person or takes part in the ceremony.

ethecon's international Black Planet Award is accorded in the same ceremonial act, but handed over at a later point in time. For this purpose, shareholders' meetings, corporate headquarters or the residences of those vilified are paid a visit; always accompanied by public protests by international social movements and wide-ranging media work. It is quite symptomatic that until now not a single one of those vilified by the International ethecon Black Planet Award has accepted the prize in person and publicly faced the critique.

Hall of Fame

International ethecon Blue Planet Award

2014/2015

Tomo Križnar / human rights and peace activist/ Slovenia

2013

Esther Bejarano / survivor of the fascist extermination camp Auschwitz, musician, anti-fascist and peace activist / Germany

2012

Jean Ziegler / anti-globalisation activist (Switzerland)

2011

Angela Davis / civil and human rights activist (USA)



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2010

Elias Bierdel / refugee- and human rights activist (Austria)

2009

Uri Avnery / peace and human rights activist (Israel)

2008

José Abreu / engineer (Venezuela) and Hugo Chavez / revolutionary (Venezuela) – under the name of "El Sistema" they set up a worldwide unique and widely publicized program against poverty, drugs, social negligence and crime that guarantees every child in Venezuela the right to learn to play a musical instrument

2007

Vandana Shiva / peace and environmental activist (India)

2006

Diane Wilson / environmental and peace activist (USA)

Hall of Shame

International ethecon Black Planet Award

2014/2015

Andrew N. Liveris (CEO) and James M. Ringler (member of board) as well as the major shareholders of the chemical group DOW CHEMICAL (USA)

2013

Anshu Jain and Jürgen Fitschen (CEOs) as well as the major shareholders of the finance company DEUTSCHE BANK (Germany)

2012

Ivan Glasenberg (CEO), Simon Murray (Chairman), Tony Hayward (Senior Independent Non-Executive Director; Environment, Health and Safety Committee) and major shareholders of the commodity trading company DEUTSCHE BANK (Germany)

2011

Tsunehisa Katsumata (chairman), Masataka Shimizu (former president), Toshio Nishizawa (president) and major shareholders of the Tokyo Electric Power Company TEPCO (Japan)

2010

Tony Hayward (CEO), Bob Dudley (CEO-designate), Carl-Henric Svanberg (chairman of the board) and major shareholders of the oil- and energy company BP (Great Britain)

2009

Owner family Wang and Lee Chih-tsuen (CEO) of the chemical, genetic engineering and electronics company FORMOSA PLASTICS GROUP (Taiwan)

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2008

Erik Prince (owner) , Gary Jackson (president) and Chris Bertelli (spokesman) and other accountable executives of the service provider for the military BLACKWATER (for reasons of public reputation re-named to Xe Services LLC) / (USA)¹⁰³

2007

Peter Brabeck-Letmathe (CEO) and Liliane Bettencourt (major shareholder) and other responsible managers and major shareholders of the food and GE-company NESTLÉ (Switzerland)

2006

Shareholders and the management of the agriculture, genetic engineering company and producer of chemical warfare agents MONSANTO (USA)

¹⁰³After negative headlines in 2008 the company changed its name to XE. Since then, it has changed its name several times.



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The ethecon Foundation¹⁰⁴

Our Blue Planet is in serious danger. This is no longer denied, not even by politics and science.

But the underlying cause continues to be ignored: the greed for profit connected with the worldwide dominant economic system.

This profit-based system is responsible for injustice, exploitation and ecological destruction. The lust for profit is becoming more and more the sole motivational force in our society and in our management of the environment. The devastating consequences of this development may no longer be overlooked: massive unemployment, the breakdown of the health-, education- and social security systems, destitution, poverty and homelessness, egoism, crime and ruthlessness, weapons production and war, climate change and the collapse of ecological systems.

A different world, a just world, may only be achieved through the development and the implementation of ecologically-sound and humane economic and social models not based on profit maximization. To reach this goal, we must start at the roots, that is, within the competing interests of ethics and economy. We must stand up against those who profit from the globalization process and social decay. For the good of ecology and society, the primacy of ethical principles over economy must be asserted. The rescue of our planet will only be possible when the supremacy of the profit principle is replaced by an economic system based on ethical principles.

The transformation of our society in the direction of a just and fair social system with an intact environment and the overcoming of the profit principle cannot be achieved overnight. This requires perseverance and endurance. In order to achieve this necessary change, broad social movements must be established and fragmented forces united. However, good ideas and voluntary commitment alone are not enough. They must be backed by sufficient financial means.

This is where ethecon - Foundation Ethics & Economy comes in. Whereas other groups and organizations – in a historical context – are active for a short time only, ethecon follows the insight, that successful work for the implementation of ethical principles in the interest of ecology and society must be designed to operate on a long-term basis, continuing past the current generation. The legal form as a foundation was deliberately chosen in order to ensure the necessary on-going financial basis for the securing and defence of the principle of solidarity as opposed to the principle of profit.

In order to bequeath future generations with a strong foundation, ethecon needs further endowment contributions, donations and sustaining members. Founded in 2004, the foundation was able to increase its initial capital of 85.000 Euros fourfold through the aid of subsequent endowment contribu-

¹⁰⁴Detailed information about the Foundation as well as the Foundation's Charter can be found in the brochure "For a world without exploitation and without oppression" (can be ordered free of charge / donation is welcome) as well as on the Foundation's homepage.



tions (the latest figures may be found in the foundation's brochure "For a World without Exploitation and Oppression" or on www.ethecon.org).

ethecon seeks people who, in light of the current devastating ecological and social developments, wish to use their financial resources in a responsible way. Many people want not only to talk about a just world, but to find ways to realize it, always with the goal of a sound environment, peace and humane working conditions for coming generations.

Act now

Here is where you can help. If you agree that the prevailing profit-defined conditions must be opposed on a long-range basis, beyond the current generation, then please support ethecon – Foundation Ethics & Economy. If an endowment contribution (from 5.000 Euros) is not possible, your donation or, even better, your sustaining membership (from 60 Euros per year) would be greatly appreciated. It is now possible to make an endowment contribution over a longer period of time, with monthly payments starting at 20 Euros.

All contributions are tax-deductible (national laws may differ on this point). In Germany, the tax-exemption limit is much higher than for regular donations and also more advantageous than for donations to political parties.

Please act now! ethecon needs you, as an endowment contributor, donor or sustaining member. You may reach ethecon – Foundation Ethics & Economy on the internet at www.ethecon.org or here:

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