

Murad, Loren Giallanella

From: Draemel, Sharla
Sent: Saturday, November 06, 2010 1:24 PM
To: Murad, Loren Giallanella
Subject: RE: Bhopal

RELEASED IN PART B4,B5

OK, thanks.

[Redacted]

B5

Sharla

-----Original Message-----

From: Murad, Loren Giallanella
Sent: Saturday, November 06, 2010 1:09 PM
To: Draemel, Sharla
Subject: Re: Bhopal

Hi Sharla,

[Redacted]

Thanks so much,
Loren
Sent from Blackberry

----- Original Message -----

From: Draemel, Sharla
To: Murad, Loren Giallanella
Sent: Sat Nov 06 09:41:14 2010
Subject: RE: Bhopal

[Redacted]

Thanks,
Sharla

-----Original Message-----

From: Murad, Loren Giallanella
Sent: Friday, November 05, 2010 10:04 PM
To: Draemel, Sharla
Subject: Re: Bhopal

Sharla,

[Redacted]

Thank you,
Loren
Sent from Blackberry

REVIEW AUTHORITY: Charles Daris, Senior Reviewer

----- Original Message -----

From: Draemel, Sharla
To: Murad, Loren Galianella
Sent: Fri Nov 05 19:11:23 2010
Subject: FW: Bhopal



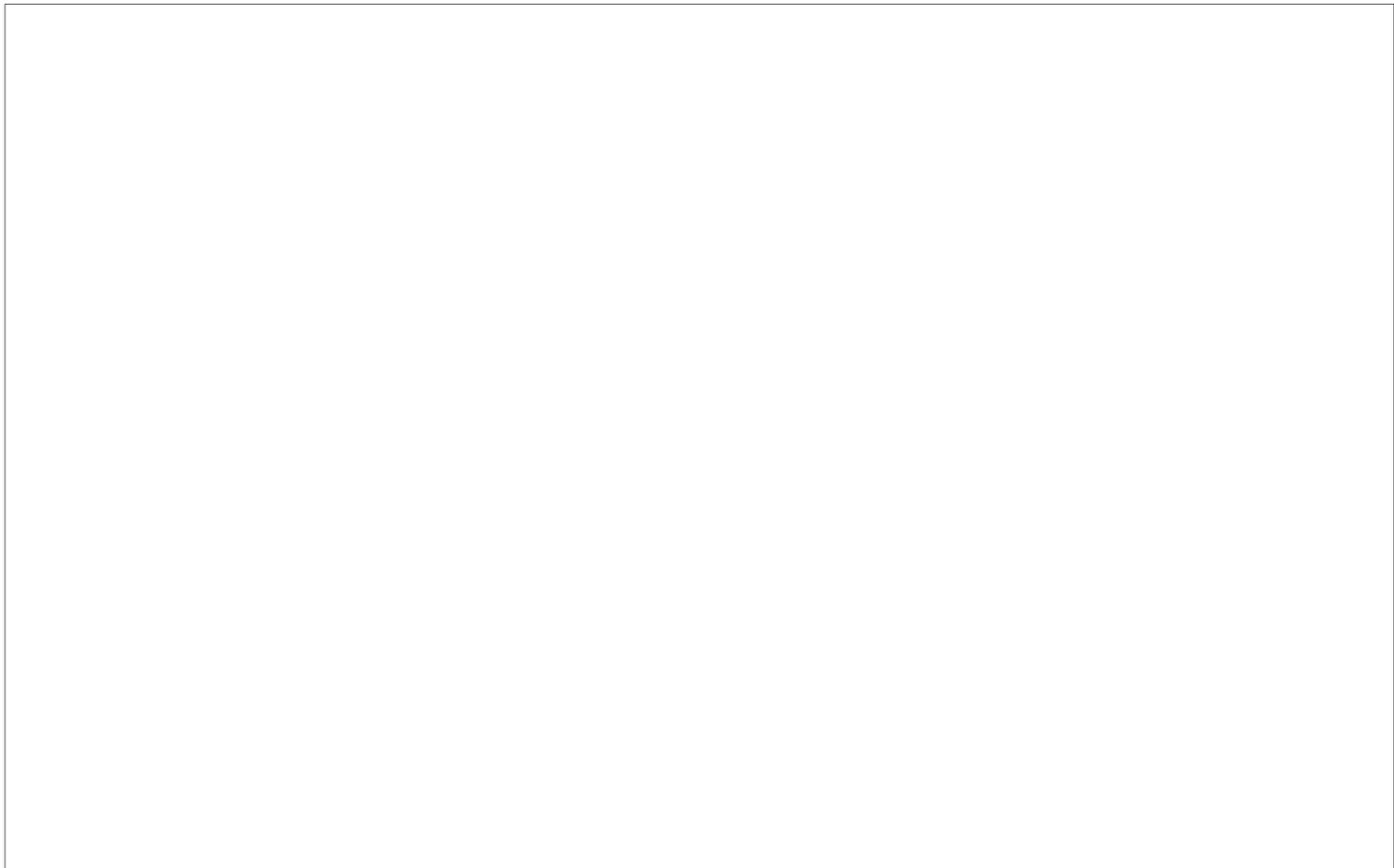
B5

Thanks,
Sharla

-----Original Message-----

From: Himamauli.Das@do.treas.gov [mailto:Himamauli.Das@do.treas.gov]
Sent: Friday, November 05, 2010 6:21 PM
To: Draemel, Sharla
Cc: Himamauli.Das@do.treas.gov
Subject: Re: Bhopal

Sharla,

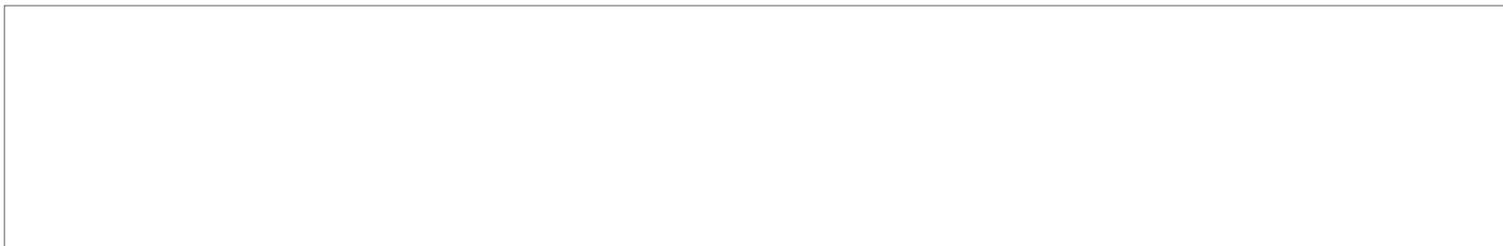


----- Original Message -----

From: Draemel, Sharla <DraemelS@state.gov>
To: Das, Himamauli
Sent: Fri Nov 05 16:21:58 2010

Subject: RE: Bhopal

Hi Das,

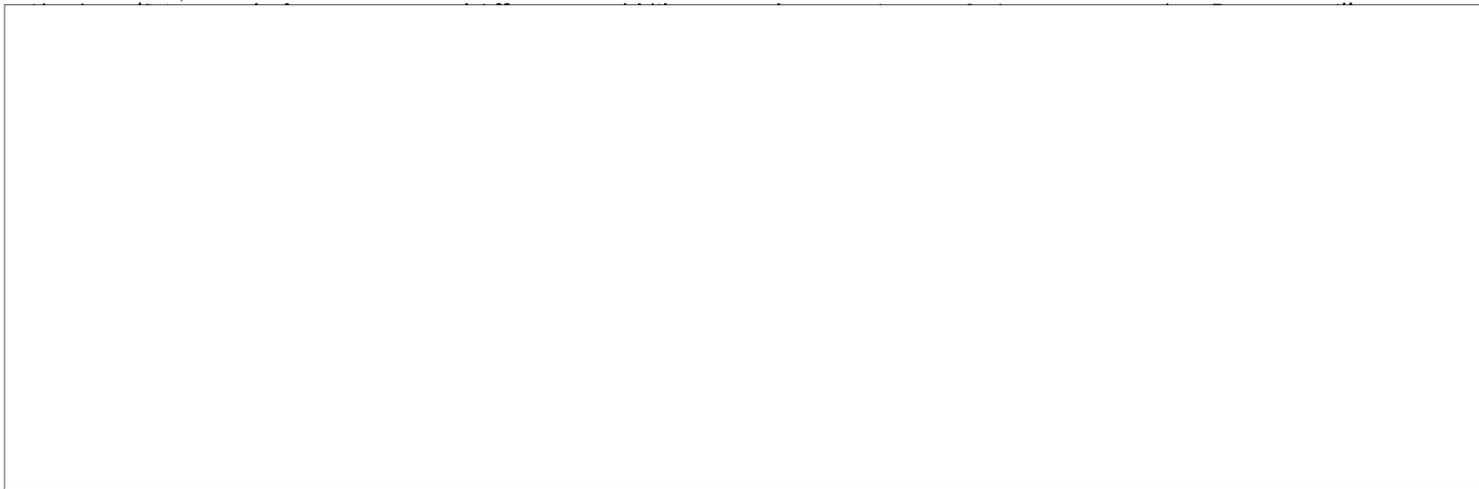


B5

Hope that helps,
Sharla

-----Original Message-----

From: Himamauli.Das@do.treas.gov [mailto:Himamauli.Das@do.treas.gov]
Sent: Friday, November 05, 2010 4:05 PM
To: Draemel, Sharla
Subject: RE: Bhopal



Thanks, Him

-----Original Message-----

From: Draemel, Sharla [mailto:DraemelS@state.gov]
Sent: Thursday, November 04, 2010 2:20 PM
To: Das, Himamauli
Subject: RE: Bhopal

The high side wouldn't go through. Not sure you need it though. Let me know if you think you need any more than below.

Sharla

From: Draemel, Sharla
Sent: Thursday, November 04, 2010 2:18 PM
To: 'himamauli.das@do.treas.gov'

Subject: FW: Bhopal

Here you go! Lots more detail for you. Will send hi side paper to for your reference.

Sharla

From: Murad, Loren Giallanella
Sent: Thursday, November 04, 2010 1:18 PM
To: Draemel, Sharla
Subject: Bhopal

Hi Sharla,

I sent you on the high side an issue paper on Bhopal, but it just provides background.

B5

Below you'll find read outs and talking points on the issue.

We recently prepped Commerce for a call that Sect Locke had with Dow CEO Liveris with the read out of the desk meeting with Dow, and of Ambassador Roemer's call with Liveris:

Readout from State Desk

The Desk and E staff met on Oct 6 with representatives from Dow Chemical company Lisa Schroeter, Rich Wells and Charles Kalil, who updated on the status of the curative petition that a group of ministers has drafted and will submit to the Indian Supreme court, asking to re-open the 1989 settlement of the Bhopal gas tragedy. They said the petition effort was lead by Union Home Minister P. Chidambaram, and included Law Minister M.

Veerappa Moily, Chemicals and Fertilisers Minister M.K. Alagiri, Urban Development Minister S. Jaipal Reddy, Science and Technology Minister Prithviraj Chauhan, Environment and Forests Minister Jairam Ramesh, and Housing, Urban Poverty Alleviation Minister Kumari Selja and Minister of State in the Prime Minister's Office Prithviraj Chavan. They have not been able to get a meeting with Indian Ambassador Shankar because it's too delicate an issue, but they will be meeting with Vinay Kwatra.

B4

[Redacted]

B4

B5

B4

CEO Liveris passed to the Secretary a proposed letter and asked her to send to PM Singh. U/S Hormats spoke to Liveris directly last week to tell him that we would not be passing any paper. U/S Hormats then discussed the Dow issue when he met with Montek Ahluwalia on Saturday, Oct 9. He articulated that it would look really bad to reopen a settlement and Ahluwalia took that in, but made no commitments.

From: Judy Reinke

Sent: Wednesday, October 20, 2010 6:47 PM

To: Brian Beall; Awinash Bawle

Cc: Jed Diamond; Leslay Elouaradia; Valerie McNeill; Daie Tasharski

Subject: Dow call read-out

Hi Brian,

Ambassador Roemer just completed a rather lengthy call with Dow CEO Liveris and Honeywell CEO Cote on Dow's current issues in India.

Afterwards, I discussed the call briefly with him, and he shares the following for Secretary Locke's call with CEO Liveris:

[Redacted]

B5

I hope this short summary is helpful.

The below talking points were prepared this week for Under Secretary Burns, but they really discuss our export control policy. They were cleared through our PD office.

Union Carbide

20. Why are you pushing to exempt nuclear technology suppliers from liability? Couldn't a similar disaster as Bhopal happen with nuclear energy? Why won't you extradite (former Union Carbide CEO) Warren Anderson to face trial in India?

* The events of December 1984 were a terrible tragedy - one of the worst industrial accidents in human history.

* The criminal case concerning the Bhopal tragedy has no relation to the liability legislation that passed the Indian Parliament and subsequent steps by India, such as the signing of the Convention on Supplemental Compensation (CSC), toward ensuring that international standards apply and that U.S. companies are going to have a level playing field on which to compete.

* When ratified, the CSC will provide a mechanism for the provision of fair and prompt compensation to victims through the civil litigation framework in the event of a nuclear accident, regardless of the nationality of the plant's operating company. In such circumstances, victims should not have to wait years for compensation, and there would be a substantial international compensation fund to help compensate victims for damages sustained in such an incident.

Compensation under this framework is not dependent on a finding of fault or criminal liability.

* When India has taken the steps necessary to ratify the CSC, a host of technologies that American companies can provide to help enhance safety at new nuclear power plants and strengthen safety protocols at existing nuclear plants are more likely to be available in the Indian market.

* It is our longstanding policy and practice not to comment on

extradition requests, including whether they were made in any particular case.

Loren Giallanella Murad

India Desk Officer

U.S. Department of State

202-647-0707

This email is UNCLASSIFIED.