

Arsenic victims get legal aid to sue scientists

By Fred Pearce

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Dying Bangladeshis have been granted legal aid to sue British scientists in London this autumn for failing to discover dangerous levels of arsenic during a survey of the country's drinking water supplies in the early 1990s.

Thousands of Bangladeshi villagers are believed to be suffering from arsenic poisoning in what the World Health Organisation has called "the biggest mass poisoning of a population in history".

The British Geological Survey, a government research agency, took samples of water from 150 wells in central and eastern Bangladesh in 1992 to assess toxicity in a follow-up to aid programmes that paid for sinking the wells. But the agency did not test for arsenic, despite cases of poisoning from wells in the neighbouring Indian state of West Bengal. Not for another five years were the first cases diagnosed in Bangladesh.

Of the 15 villagers granted legal aid, most are patients at the Dhaka Community Hospital, in the Bangladesh capital. Doctors there have teamed up with the London legal firm Leigh Day & Co, which announced the action yesterday. Martin Day, a partner in the firm, said: "The 15 people whose cases we have taken up are the first of perhaps 2,000 people in villages whose water was surveyed by the BGS and who now have symptoms of arsenic poisoning. Many have cancers and are likely to die."

One of the 15 is Masuma Begum of Askrapur village in Chandapur district in the south-east of the country. After many years of drinking water containing many times the safe dose of arsenic, she has warts on her limbs and a cancerous wound on her heel that doctors believe will kill her.

Mr Day said: "The basis of the case is that if the BGS had acted properly it should have analysed for arsenic. If it had, the mass poisoning would have come to light five years earlier than it did. And most of the people we represent wouldn't have contracted their illnesses."

Arsenic occurs naturally in underground muds beneath much of Bangladesh. It is thought to be present at dangerous levels in water from up to five million wells sunk across the country in the past 25 years.

John McArthur, professor of geochemistry at University College London, said the agency would almost certainly have found arsenic if it had looked.

"They sampled water in areas where we now know that three-quarters of the wells used for drinking contain concentrations of arsenic that are lethal if drunk regularly over

many years." He says WHO guidelines of the time advised analysing drinking water for arsenic.

David Ovadia, head of BGS International, said: "This is news to us. We will need to see what is being levelled at us before we respond." In a statement in January, Denis Peach, head of groundwater at the agency, admitted that arsenic had not been tested for and that, while such tests were not then routine, "in retrospect we, and others, made a mistake".

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