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Côte d'Ivoire: Travesty of justice for toxic waste victims

An Ivorian court decision to transfer \$45 million intended for the victims of the Trafigura toxic waste disaster to a group falsely claiming to represent them is a travesty of justice, Amnesty International said today.

The organization called for an immediate stay on the court's decision so that the money is not transferred before the victims have a chance to appeal.

In late 2009, a group known as the National Coordination of Toxic Waste Victims of Côte d'Ivoire (CNVDT-CI) claimed that it represented some 30,000 victims who had brought a court case against Trafigura in the UK. The claimants and Trafigura had reached an out-of-court settlement for \$45 million in September 2009.

All of the claimants in the case were actually represented by UK lawyer Martyn Day of Leigh Day & Co. Amnesty International has seen no credible evidence to support CNVDT-CI's claim and considers it a blatant attempt to perpetrate fraud.

An appeal court today ruled that the \$45 million, paid by Trafigura and intended for the victims, should be transferred to CNVDT-CI's bank account.

"Today's verdict is a devastating blow for the victims of this toxic waste disaster," said Widney Brown, Senior Director, International Law and Policy at Amnesty International. "We call for an immediate stay on the court's decision so that this money does not disappear before the victims are able to appeal to the Supreme Court."

Martyn Day expressed his profound shock at the court ruling and said that documents provided by CNVDT had been shown to be false: "In 30 years of practice I cannot remember a more depressing Court decision. 30,000 Ivorians have been looking to get the compensation due to them. Now there is a very real chance they will not see a penny."

Background

In August 2006, toxic waste was brought to Abidjan on board the ship Probo Koala, which had been chartered by oil-trading company, Trafigura. This waste was then dumped in various locations around the city, causing a human rights tragedy.

More than 100,000 people sought medical attention for a range of health problems and there were 15 reported deaths.

On 23 September 2009, the High Court of England and Wales approved a \$45 million settlement between nearly 30,000 victims of the toxic waste dumping and Trafigura. The compensation had been subject to a

freezing order pending today's decision by the Ivorian court.
ENDS

Notes to editors

Amnesty International spokespeople are available for interview, please contact +44 207413 5810

Amnesty International's work on corporate accountability is part of its Demand Dignity campaign.

The Demand Dignity campaign aims to end the human rights violations that drive and deepen global poverty. The campaign will mobilise people all over the world to demand that governments, big corporations and others who have power listen to the voices of those living in poverty and recognise and protect their rights. For more information visit <http://demanddignity.amnesty.org/campaigns-en/>