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Côte d’Ivoire: missing millions must reach Trafigura toxic waste victims

Côte d’Ivoire’s new government must ensure that the compensation paid out by the oil-trading corporate group Trafigura reaches the thousands of victims affected by a toxic waste dumping in 2006, Amnesty International said today, on the fifth anniversary of the disaster.

Trafigura has paid US\$260 million in a number of payouts but much of the money remains unaccounted for and thousands of victims have not received anything.

“It is unacceptable that so many people who were affected by the dumping have not received the compensation money they are entitled to,” said Benedetta Lacey, Amnesty International’s special advisor on corporate accountability.

“These payouts have been dogged by repeated delays and a lack of transparency. President Ouattara’s government must act decisively to show that corruption and misappropriation of funds will not be tolerated.”

The dumping of toxic waste five years ago, in 2006, affected more than 100,000 people in Abidjan, Côte d’Ivoire’s commercial capital.

In February 2007 Trafigura entered into a settlement agreement with the government of Côte d’Ivoire under which Trafigura paid US\$195 million for compensation and clean up costs. The government subsequently drew up a list of over 95,000 victims to compensate; however the government compensation process was never completed and questions remain over how much of the US\$195 million the victims actually received.

In April 2008 Trafigura made a second payment of US\$20 million to the government of Cote d’Ivoire as full and final payment under the settlement agreement and to pay for additional clean up costs.

In September 2009 Trafigura made a separate payment of US\$45 million in an out-of-court settlement reached in the UK with nearly 30,000 Ivorians who had brought a lawsuit seeking damages for personal injury in relation to the dumping.

However the distribution of that money was subsequently derailed by a group falsely claiming to represent the victims. The group calling itself the National Coordination of Toxic Waste Victims of Côte d’Ivoire (CNVDT-CI) obtained an Ivorian court order for the money to be transferred to its bank account for distribution to the claimants.

Following this court order, the UK law firm declared that it felt that it had ‘no alternative’ but to agree to a joint distribution process with CNVDT-CI.

The UK law firm recently reported that at least 6,000 of its clients are still waiting for their compensation from CNVDT-CI. The head of CNVDT-CI is now reported to have disappeared and there is no further indication as to when the remaining compensation will be paid out.

Amnesty International has repeatedly expressed serious concern about the role of CNVDT-CI, whose claim to represent all 30,000 claimants involved in the UK settlement is patently untrue.

“More than 6,000 people are owed the equivalent of a year’s wages after a hard won settlement with Trafigura,” said Benedetta Lacey. “The government of Côte d’Ivoire must ensure that CNVDT-CI pays out the millions it owes to the claimants.”

“On the 5th anniversary, we must think about the victims. There are 300 people in my area who have not yet received their compensation,” said Geneviève Diallo, representative of a victims’ group next to Akouedo dumpsite. “Those who have misappropriated the money must be brought to justice. Justice must be done.”

Amnesty International calls on the government of Côte d’Ivoire to locate the missing funds and ensure full payment to the thousands who, five years after the dumping, are still waiting for compensation.

“The new government in Côte d’Ivoire must act now to end this protracted fiasco and deliver justice to the thousands of people affected by the toxic waste dumped on their doorsteps,” said Benedetta Lacey.

Background Information

On 19 August 2006, toxic waste was brought to Abidjan on board the ship Probo Koala, which had been chartered by oil-trading corporate group, Trafigura. This waste was then dumped in various locations around the city of Abidjan.

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

All payments referenced above have been converted to the US\$ equivalent of the actual amounts paid based on historic currency calculations and are approximate values. Both settlements were made without any admission of liability by Trafigura.

Photos are available on:

https://adam.amnesty.org/asset-bank/action/search?attribute_603=Trafigura+Press+Release