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Trafigura guilty verdict upheld in toxic waste dumping case

A Dutch court's decision to uphold a guilty verdict against the multinational company, Trafigura, for illegally exporting toxic waste is an important step towards justice for the thousands of people affected by the dumping in Côte d'Ivoire, Amnesty International said today.

A judge rejected Trafigura's appeal against its previous conviction for illegally delivering hazardous waste to Amsterdam while concealing its true nature, and for exporting the waste to Côte D'Ivoire in 2006.

"This is a damning verdict against Trafigura which has repeatedly denied any wrongdoing," said Benedetta Lacey, a special advisor at Amnesty International who has visited Côte d'Ivoire and met victims of the dumping.

"The verdict is clear: Trafigura is criminally accountable for having concealed the harmful nature of the waste on delivery in Amsterdam and for having illegally exported the waste to Cote d'Ivoire. In particular we welcome the court's finding that EU regulations on hazardous waste did apply in this case."

The appeal verdict found that the municipality of Amsterdam was able to claim immunity from prosecution for having allowed the toxic waste to leave the Netherlands. Amsterdam Port Services (APS), a Dutch company that had been initially contracted by Trafigura to dispose of the waste, was also cleared of any criminal charges after the appeal court upheld the previous court's decision that APS had made an 'excusable error of law'.

"Whilst this is a significant step towards justice there are still many unanswered questions. The Dutch prosecution focussed on events and legal breaches which occurred in the Netherlands alone. It did not consider the impact of the dumping in Côte D'Ivoire or illegal acts committed abroad," said Benedetta Lacey.

"Today is an important milestone for the victims of the toxic waste dumping. States must ensure that multinational companies are prosecuted for illegal conduct that leads to human rights abuses both at home and abroad."

Amnesty International is assessing the full text of the appeal verdict.