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Côte d’Ivoire: Authorities must ensure toxic waste compensation reaches victims

Amnesty International today urged the authorities in Côte d’Ivoire to ensure that \$45 million compensation paid by an oil trading company to victims of one of the worst toxic dumping scandals in recent years reaches the people to whom it is owed.

The compensation was agreed in the context of a court action brought by some 30,000 people against the firm in the High Court of England and Wales.

The organization has also written to UK Justice Secretary Jack Straw, urgently asking him to contact his counterpart in the Côte d’Ivoire and press for swift action to prevent a potentially massive fraud being perpetrated.

The call came as thousands of the victims of the illegal dumping of toxic waste in Abidjan, the capital of Côte d’Ivoire, wait anxiously to receive their money.

“There is a real risk that the victims of this waste dumping will never see the compensation they have been waiting so long to receive,” said Widney Brown, Senior Director at Amnesty International.

“The governments of Côte d’Ivoire and the UK must do everything in their power to ensure that this money is paid to the claimants listed in the court order – and prevent its misappropriation by corrupt figures.”

The \$45 million compensation has been frozen in the bank account of the law firm representing the victims in the court case against the company accused of dumping the waste.

The freezing order was made after a man claiming his organization – the National Coordination of Toxic Waste Victims of Côte d’Ivoire (CNVDT-CI) – represents the “real victims” said the money should be transferred into that organization’s bank account instead. This claim appears entirely false and has been refuted by the victim’s UK lawyers, as well as in a petition that is before the Ivorian courts by the other representatives of claimants in the UK court case.

The CNVDT-CI appears nowhere in any court documents related to the case or the settlement.

On 23 September, the High Court of England and Wales approved a settlement agreement between the victims of the toxic waste dumping, UK law firm Leigh Day & Co, and the firm. The agreement was that \$45 million would be distributed by Leigh Day to the nearly 30,000 victims who had agreed to the deal, with each receiving about \$1,600. The funds were transferred to an account in Côte d’Ivoire set up by Leigh Day for distribution to the victims.

On 22 October, Claude Gohourou, who claims his organization represents the victims, applied to a court in Abidjan to have the funds in the Leigh Day account frozen, which the court agreed to. Soon after, on 27 October, he applied for the money to be transferred to an account held by his own association.

Tomorrow, the Abidjan court is due to rule on his application.

“If the court in Côte d’Ivoire transfers the money into Mr Gohourou’s account, there is a very good chance that it will never be seen again,” said Widney Brown.

“We need an urgent intervention to prevent the victims of this tragic case from a double disaster. To have fought for three years for some measure of compensation for the terrible events of 2006, and then to see it stolen would be a travesty.”

Note to editors:

In August 2006, toxic waste was brought to Abidjan in Côte d’Ivoire on board the ship Probo Koala, which had been chartered by the firm. 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.