



TRAFIGURA BEHEER B.V., AMSTERDAM, BRANCH OFFICE GENEVA

Amnesty International
International Secretariat
Peter Benenson House,
1 Easton Street,
London,
WC1X ODW
United Kingdom

27th August 2012

Dear Ms Gaughran

We refer to your letter received on 15th August 2012 enclosing a draft report prepared by Greenpeace and Amnesty International concerning the Probo Koala and the discharge of slops in Abidjan, Cote d'Ivoire in 2006.

Whilst we can see the intended purpose for the report, and the convenience of fitting certain facts and law to that objective, we believe the report contains significant inaccuracies and misrepresentations. The report oversimplifies difficult legal issues, analyses them based on ill-founded assumptions and draws selective conclusions which do not adequately reflect the complexity of the situation or the legal processes. Courts in five jurisdictions have reviewed different aspects of the incident, and decisions and settlements have been made. It is simply wrong to suggest that the issues have not had the right judicial scrutiny.

In our view, the report does not set out a fair or balanced account of the Probo Koala incident, but is rather a report that has been designed to support the stated position of Greenpeace.

The Probo Koala incident was a distressing and difficult event for those in Abidjan. Many different authorities and companies were involved and there is little doubt that mistakes were made and we believe that everyone involved would have wanted to see things handled differently. This incident provided additional impetus for Trafigura to review and improve the ways in which we conduct our business, and has led to the introduction of more robust processes across our operations.

Trafigura deeply regrets the impact the Probo Koala incident had - both real and perceived - and we have sought to assist the people affected through the variety of the settlements that have been made. It is regrettable - but entirely outside our

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control – that the funding made available appears not to have benefited those people, nor reached the projects intended.

At Trafigura, we have sought to learn from our experiences and have maintained our commitment to the countries in which we operate. The company has a long-established commitment to Africa and, since 2006, we have invested almost US\$2 billion in sub-Saharan Africa, creating jobs, paying taxes, building infrastructure, providing fuel and helping Africa to grow.

Yours sincerely,

A handwritten signature in dark ink, consisting of a large, sweeping horizontal stroke followed by a series of loops and a vertical stroke.

Eric de Turckheim

Member of the Supervisory Board of Trafigura Beheer BV