

# Dutch court to hear new case on I.Coast chemical spill

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Over 500 cubic metres of toxic chemicals were dumped on garbage sites in the Ivory Coast's economic capital Abidjan in 2006, killing 17 people and poisoning thousands, Ivorian judges say

Lawyers for 100,000 victims of a 2006 toxic spill in the Ivory Coast will seek Wednesday to persuade a Dutch court to take up their class-action suit for compensation.

It is the latest in a slew of legal actions brought against the Dutch-Swiss commodity trader Trafigura following the disaster in Abidjan, the west African country's commercial capital.

"The Amsterdam court must decide whether they can take up the suit brought by our clients and whether Dutch law is competent to rule on Trafigura's responsibility," said lawyer Bojan Dekker.

In August 2006, toxic residues on board the Panamanian-registered Probo Koala freighter were prevented from being offloaded for treatment in Amsterdam's port.

The ship was instead sent to Abidjan, where the waste was dumped on the city's garbage sites and in at least 18 locations.

Over 500 cubic metres (18,000 cubic feet) of spent caustic soda, oil residues and water killed 17 people and poisoned thousands, Ivorian judges said.

But last year a similar suit brought by a foundation which said it represented some 100,000 victims was thrown out, when judges from the Amsterdam District Court said they were unconvinced by the claim.

The judges ruled in November "it could not be established" that the Netherlands-based foundation, calling itself the Stichting Union des Victims de Dechet Toxiques d'Abidjan et Banlieues did in "fact represent the claimants nor how many claimants there are".

Trafigura has always denied any link between the waste and the subsequent deaths and wave of sickness.

In 2007 however it agreed a settlement with the Ivorian government for 152 million euros (\$180 million), although only 60 percent of registered

victims are estimated to have received compensation.

A second out-of-court settlement was agreed in 2009 for 33 million euros involving 30,000 people to be paid in Britain. But funds for 6,000 of them were misappropriated before the payout happened.

But in 2011, a Dutch court rejected a case brought by the environmental group Greenpeace, calling for Trafigura to be prosecuted in The Netherlands for the events in Ivory Coast. The court ruled that none of the victims lived in The Netherlands and that the spillage had occurred outside the country.

Dutch media have also cast doubt on whether this latest legal action will succeed.

A decision on whether the [court](#) will take up the case is not likely before six weeks, the lawyer Dekker said.

UN experts warned last year that many Ivorians still suffered from skin problems and respiratory issues, and had not received "an adequate remedy" for the effects of the spillage.

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