

YOUNG **HUMAN RIGHTS** **REPORTER** **OF THE YEAR**

Poisoned for Profit

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Young Human Rights Reporter Runner Up 2013 (Sixth Form Category)

Jérôme Agoua gets up early as usual. He works in Abidjan, the largest city in the Ivory Coast, and has a wife and family to feed so he needs to be on time. Only this is not a usual morning. Something's wrong with the air. It's thick with an unbearable sulphurous stench and when Jérôme rubs the sleep from his eyes he flinches—they're swollen and bloodshot.

His children wake up gasping but he can't explain to them what's going on. It gets worse over the coming days: nausea, fevers and diarrhoea set in, and Jérôme is forced to send his pregnant wife to a nearby town with the children. He stays, desperate to earn money for his family, but aware that he is slowly poisoning himself.

Over a hundred thousand people like Jérôme were affected by the dumping of toxic waste on 20th August 2006, and at least fifteen died as a result; yet the company responsible denies any wrongdoing and continues to evade justice.

The waste had arrived in the country by sea three days previously, property of the Dutch oil trader Trafigura. The substance was a by-product of a controversial Caustic Washing process—the cheaper of two potential methods—used to refine large amounts of gasoline. Trafigura hurriedly signed a contract with an unknown, newly licensed disposal company who, at a disconcertingly low price, offered to “discharge” the waste at a local site named Akouédo.

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A simple check would have revealed that this was an open-air dumpsite for domestic waste, not a specialist facility as was required, but Trafigura didn't want to know. The workers at Akouédo closed the sight swiftly once they realised something was wrong with the incoming waste, so the rest was dumped around Abidjan during the night.

UN legislation recognises the right to protection from “exposure to harmful substances such as radiation and harmful chemicals” (ICESCR), but Trafigura clearly didn't see this as their corporate responsibility. Perhaps this attitude stemmed from their obsession with profits—Trafigura had already rejected one opportunity to dispose of the waste safely following a pricing dispute in Amsterdam and emails reveal that they only purchased the gasoline initially because it was “as cheap as anyone can imagine and should make serious dollar”. They cut corners, ignored warnings and almost certainly knew that the waste wouldn't be handled safely, yet thanks to an out-of-court settlement with the Ivorian government, Trafigura can't legally be prosecuted for the dumping and have escaped admitting responsibility for their humanitarian crime.

That a company can purchase immunity from accountability shocks me, and Jérôme Agoua—now head of a victims' association—shares this sentiment: “No one from Trafigura ever approached me ... I am the leader of a victims' organization and no one has approached me, it is deplorable. This story pains me.” Yet until states commit themselves to tightening laws on human rights due diligence, closing jurisdictional loopholes, and prosecuting companies for crimes committed abroad, it will only be a matter of time before this kind of episode repeats itself.