**Fra:** Synnøve Bakke
**Sendt:** 16. september 2009 12:10
**Til:** 'Ingar Fuglevåg'; Kjersti Knudssøn
**Emne:** SV: Interview with the Norwegian Broadcasting Corporation

Ingar Fuglevåg,

We look forward to receiving Trafiguras reply to our questions and will include them in our stories according to normal journalistic practices. However six days have now passed since we requested Trafigura's response to our questions, and we do not see it as unreasonable to ask Trafigura to furnish us with their response as soon as possible, and at the latest by 1400 local time today.

We will, of course, take the information into account also if received at a later stage, but in that case, Trafiguras response may not be included in earlier published material.

Best regards,
Synnøve Bakke
Kjersti Knudssøn
NRK

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**Fra:** Ingar Fuglevåg [mailto:Ingar.Fuglevag@vogtwiig.no]
**Sendt:** 15. september 2009 20:54
**Til:** Synnøve Bakke
**Emne:** SV: Interview with the Norwegian Broadcasting Corporation
**Viktighet:** Høy

Synnøve Bakke,

**PRIVATE AND CONFIDENTIAL; NOT FOR BROADCAST**

Reference is made to your e-mail of today and subsequent phone conversation.

As mentioned in our e-mail of yesterday, Trafigura finds it improper to answer questions to the media as long as the criminal charges in Norway are still under investigation by Økokrim. However, certain of the additional questions and statements in your e-mail of this morning are biased and can not be left unchallenged. Trafigura is in process of producing a written statement as a response to the questions raised by NRK. We will forward this statement to you during the course of business tomorrow, and kindly ask that you refrain from publishing anything before having had the opportunity to carefully examine the response from Trafigura.

Your questions of today do also reveal the fact that you are in possession of a draft, preliminary expert opinion produced by Minton Treharne & Davies Ltd, and that you appear to be ready to disclose information from this report. Trafigura looks very serious upon this, as disclosing any information from this report would be a clear breach of confidentiality and privilege. The report is clearly privileged and confidential and was obtained unlawfully by whoever is responsible for it coming into your possession.

Please be aware that on Friday of last week, our clients sought and obtained an injunction in relation to this document and information contained in it against the Guardian newspaper and Persons Unknown, pending a further hearing. For your attention we have attached hereto a copy of the Court Order.

In the circumstances, we kindly ask you to confirm that NRK will not disclose or make reference to this expert report or its contents. We might add (although it is not directly relevant to your obligation not to publish a document which has been obtained unlawfully) that the document was, as we say, draft and it is clear from its text that it was produced generically without reference to the underlying evidence. We can also assure you that its generic conclusions have long since been wholly superseded by the analyses of the Probo Koala slops by independent experts.

Best regards
VOGT & WIIG AS
Ingar Fuglevåg
partner
mailto:ingar.fuglevag@vogtwiig.no
Mobile: + 47 900 96 098

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**Fra:** Synnøve Bakke [mailto:synnove.bakke@nrk.no]
**Sendt:** ti 15.09.2009 11:16
**Til:** Ingar Fuglevåg
**Emne:** SV: Interview with the Norwegian Broadcasting Corporation

Hello,

Thank you for your reply. Does this mean that Trafigura do not wish to comment on anything we will publish? I would like to point out that some of the questions do not deal with the Probo Emu as such, but are of a more general nature.

In addition to the questions vi sent to Trafigura on September 10, we would also like to give Trafigura the opportunity to comment on the following:

- In the report from John Minton of the company Minton, Treharne & Davies Ltd. dated 14.09.06 it is written that the waste that ended in the Ivory Coast contained large amounts of toxic substances, including H2S. In the report it also says that the waste could be fatal. Trafigura has earlier confirmed that this waste was identical to what the Probo Emu brought to Sløvåg. What is Trafiguras comment to this?

- Why did Trafigura not inform Vest Tank and Norwegian authorities of this?

- The Minton report is based on analysis of the waste on the Probo Koala. In the report it says that the waste can lead to nausea, diarrhea, skin problems, headaches, respiratory problems, unconsciousness and death. Trafigura has had this report since September 2006. The company has still vigorously denied that the waste could lead to illness and death. What is Trafiguras comment to this?

- The autopsy report of 12 people from the Ivory Coast shows they died of H2S poisoning. What is Trafiguras comment to this?

- Your reason for not wanting to give an interview to the Norwegian Broadcasting Corporation is that there is an on-going police investigation in Norway. Why have you not made yourself available for questioning by the Norwegian police?

Mvh
Synnøve Bakke
Kjersti Knudssøn
NRK

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Fra: Ingar Fuglevåg [mailto:Ingar.Fuglevag@vogtwiig.no]
Sendt: 14. september 2009 20:35
Til: Synnøve Bakke
Emne: Interview with the Norwegian Broadcasting Corporation

Dear Ms. Bakke,

Reference is made to your e-mail of 10 September 2009 with questions to Trafigura in connection with the investigation in Norway related to "Probo Emu" calling Sløvåg in 2006.

Our law firm represents Trafigura, and we have been asked to address your enquiry on behalf of Trafigura.

It should be noted that these matters are still subject to investigation in Norway. Trafigura has not been indicted for any offence and Økokrim has not yet questioned any employee of the company. Despite several applications, Trafigura has not been granted access to the police documents. At this time, Trafigura believes that is inappropriate to answer any questions and that these issues should not be tried in the media.

Kind Regards
Vogt & Wiig AS

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**Fra:** Synnøve Bakke
**Sendt:** 10. september 2009 11:24
**Til:** 'NCameron@Bell-Pottinger.co.uk'; 'media@trafigura.com'

**Kopi:** Kjersti Knudssøn; Ingebjørg Berdal; Solveig Tvedt
**Emne:** Interview with the Norwegian Broadcasting Corporation

Hi,

In connection with a broadcast for the Norwegian Broadcasting Corporation we would like to ask for an interview with Trafigura regarding the following:

1. Trafigura is charged in Norway for illegal import of waste to Norway. What is your comment to this?
2. In e-mail from Naeem Ahmed 27.12.05 he refers to the leftovers after caustic washing as "toxic caustic". Why do you then claim it was slop onboard the Probo Emu?
3. Why were the company Saybolt not allowed to inspect the waste tank onboard the Probo Emu when she arrived in Sløvåg?
4. Why where there representatives from Trafigura present in Sløvåg when Probo Emu discharged her waste in October 2006?
5. Can you confirm the price quoted in e-mail from Naeem Ahmed to James McNicol dated 27.12.05, of $ 200-250/kg to dispose of the caustic waste in Rotterdam?
6. In e-mail from Naeem Ahmed dated 27.12.05 he claims there are only one specialist disposal company in Rotterdam, but the waste can not be moved across EU borders. Why did you then choose to send Probo Emu to Vest Tank and why did you not notify Norwegian environmental authorities and apply for import?
7. In internal e-mails the Norwegian Broadcasting Corporation have from employees in Trafigura the product on board the Probo Koala and Probo Emu is not called slop but waste. Why have you later claimed that it was slop?
8. In e-mail from Naeem Ahmed dated 28.12.05 he says that the operation of caustic washing is no longer allowed in EU, US and Singapore. Why did you after this enter into a contract with Vest Tank for them to do the caustic washing in Norway?
9. Why have you not made yourself available for questioning by the Norwegian police as requested by them in the case of illegal import of waste on the Probo Emu?
10. In an e-mail 28.12.05 Mr. Ahmed describes how caustic waste at Alexelas terminal in Paldiski in the matter of 5-6 weeks destroyed the tanks. In Sløvåg the waste was stored from November 2006 to May 2007. Did you tell Vest Tank of the risks regarding the destruction of their tanks?
11. Naeem Ahmed claims in the same e-mail that it is "inherent to remove caustic waste in tanks after 3 to 4 days max". Did you inform Vest Tank of this?
12. Vest Tank claims you did not tell them that
    a. Probo Emu came to Norway with toxic waste
    b. you did not tell them that caustic washing was not allowed to do in the EU as stated in Naeem Ahmeds e-mail of 28.12.05
    c. you did not tell them that the caustic waste could destroy the tanks as they did in Paldiski if the waste was stored for a period of more that 5-6 weeks or 3 to 4 days according to two different e-mails
13. Vest Tank now intend to sue you for damages. What is Trafiguras reaction to this?
14. What is Trafiguras connections to Odfjell terminals in Rotterdam? Have you done caustic cleaning there?
15. When did representatives from Odfjell put you in touch with Vest Tank?
16. Did you tell Odfjell that you intended to send waste to Sløvåg and did they know you planned to do caustic washing at site in Sløvåg?
17. What happened during the discharge of Bow Prospers cargo in La Skhirra in Tunisia in March 2006?

18. In e-mail from Naeem Ahmed to David Foster dated 24.03.06 it is suggested to leave out the presence of di-enes from the La Skhirra report. Why is that?
19. Was there di-enes also present in Sløvåg?
20. In e-mail from Naeem Ahmed dated 27.12.05 he is not sure that the caustic waste in Fujairah was disposed of in a legal way. How was it disposed of?
21. At what scale did you do caustic washing in Fujairah?
22. In e-mail from Leon Christophilopolpus dated 18.04.06 he says you are reduced to perform washing on board ships. Why where you not allowed to do this washing in Fujairah any more?
23. Was there any kind of octane increasing agent added to the coker gasoline prior to the caustic washing in Sløvåg?

We would like to request an interview in London Monday September 14 or Tuesday September 15. I would also like to inform you that all correspondence with the NRK can be published on our web pages at any time.

Best regards,
Kjersti Knudssøn, journalist, +47-952-02-961
Synnøve Bakke, journalist, +47-977-48-005
Norwegian Broadcasting Corporation