

Introduction

The factory of Gardanne (Bouches du Rhône), is producing alumina, a material used to make electronic component, ceramics and refractory material. This activity emits toxic waste full of heavy metals and heightened radioactivity, the famous “red muds”.

Since 1967, the factory discharges those red muds with a state authorization, at the heart of the Calanques National Park. Through a more than 55km long pipe, they are spread at a depth of 320 meters in the Cassidaigne canyon, an oceanic trench that used to be home to an extraordinary biodiversity.

In total, 32 millions tons (kg) of mud have been discharged. The nature’s destruction is so serious, that it seems scientifically impossible to restore the ecosystems. It is a violation of the ocean’s rights and a major ecocide case.

Thanks to a complaint filed by the ZEA associations, fishermen of the region and locals, the public prosecutor took on the case. Examining magistrates from the tribunal of Marseille’s health department are now in charge of the investigation.

Red Zone – Documentary



The explanatory video (in French):
<https://www.facebook.com/zea.earth/videos/252398488800533/>

#1 Presentation

Presentation

Between 1966 and 2016, the alumina factory's manager has been allowed to discharge its industrial wastes in the sea. An area from Hyère to Fos-sur-Mer is now covered up with red muds. The amount of waste discharged with the authorization of the french state is estimated at 30 millions tons (kg).

Wastes now cover up the bed of Cassidaigne Canyon, therefore preventing all forms of life, destroying the habitat of settled species such as oysters, mussels, sea urchin, etc. Researchers and fishermen also observed an undeniable impact on the presence of fishes in the area.

Red mud particles, full of toxic heavy metals and containing a naturally heightened radioactivity are discharged into the sea, thereby contaminating the whole ecosystem. The scientific knowledge is still too weak to establish with certainty the impacts on marine habitats.

Even now, fine particles composing the mud are easily re-suspended and keep spreading according to the ocean currents. The effect on nature at short and long term remains a “threatening unknown” for the scientific community.

Read the impact assessments made by Creocean, 1993

[Voir l'étude d'impact de Créocéan 1993](#)

This situation constitutes a violation of the law of the sea, among which:

- the right to live and exist
- the right to the protection of its vital cycles and processes without human disturbances
- the right to water as a source of life
- the right to be free from all contamination, pollution or toxic wastes.

Given the impacts of the lasting and largely spread destruction of marine ecosystems due to chemical wastes, the company obviously exceeded the biological limits of this region.

This is a major case of ecocide.

See the diving video in the Cassidaigne trench

The Team

The Case Presenter



Jean Ronan Le pen, Co-president of ZEA

Jean-Ronan Le Pen is a journalist and environmental activist. After ten years in the media (Les Echos and Ouest France) on sea and coastal issues, he organized, before COP21, a tour of France of the coasts to draw attention to climate change and its impacts on the Ocean.

In 2014, he participates in the creation and coordination of the Ocean and Climate Platform (bringing together NGOs and international scientific organizations) with the aim of making the protection of the ocean a priority in the fight against climate change (www.ocean-climate.org).

In 2018, he creates and coordinates the Ocean and Plastic Platform which brings together scientists and NGOs fighting against plastic pollution in the Ocean and coordinates the report "What we know and what we don't know about plastic pollution in the Ocean" (https://www.researchgate.net/publication/331409344_Plastic_pollution_in_the_ocean_what_we_know_and_what_we_dont_know_about).

At the same time, he founded with Olivier Dubuquoy, geographer and documentary filmmaker, the association ZEA (www.zea.earth). Its objective is to have the Ocean recognized as a Common to fight against its colonization by the States and its exploitation and pollution by extractive industries (hydrocarbons, minerals, ...).

The Injured Party



Gérard Carrodano

Professional Fisherman in Diving and first fishing prudhomme of the Ciotat.

Bewitched by the sea and its fish for as long as he can remember, and after 30 years of underwater hunting (including 12 years at the international level), Gérard Carrodano naturally turned to another activity: the capture of live broodstock specimens for fish farms and specimens for public aquariums.

Gérard Carrodano very quickly went off the beaten track and innovated in fishing techniques in the light of his knowledge as an underwater hunter. He diversifies in particular by capturing live fish and invertebrates which he supplies to hatcheries of fish farms and aquariums of large European museums.

He is involved in the fight against red mud discharges from the Gardanne alumina plant in the creeks of Marseille and defends Mediterranean artisanal fishermen who have lost an exceptional fishing area because of these discharges.

The Legal Expert

The logo for Wild Legal is rendered in a bold, hand-drawn, black-and-white style. The word "WILD" is positioned above "LEGAL". The letters are thick and blocky, with some internal hatching or cross-hatching, particularly in the 'W' and 'L's, giving it a textured, stencil-like appearance. The overall aesthetic is raw and activist.

Wild Legal campaigns with local associations towards the defence and recognition of nature rights and ecocide

See the testimony of the fisherman, Gérard Carrodano (in french):



Associations



ZEA

Nature and environment

The association ZEA campaigns for the oceans and climate's protection.

<http://www.zea.earth/>



Wild Legal

Nature rights

Wild Legal campaigns with local associations towards the defence and recognition of nature rights and ecocide

<https://www.wildlegal.eu/>

Legislation

For decades, the factory's manager benefited from the french state's support to discharge its waste in the sea exceeding the limits of pollutants such as arsenic, heavy metals (such as aluminum, iron, titanium, chrome,...), PH,... fixed by the Barcelona Convention for the protection of the Mediterranean Sea signed by the French State in 1976 and modified in 1995. This pollution is still going on. Toxic particles from the red muds and liquid chemical effluents discharged by the factory cause contamination of all marine ecosystems.

We ask for :

The recognition of the rights of the Mediterranean sea to be free from human pollution and to have its vital cycles preserved. It is vital to put an end to this pollution by forbidding any waste exceeding the threshold set by actual standards regarding environmental protection.

The recognition that this pollution leads to a severe violation of the planetary limits, thereby causing an ecocide. Chemical pollution, species mass extinction... Those responsables for these pollutions have made themselves guilty of a manifest violation of several planetary limits and should be convicted so Nature gets justice for the damages it suffered.

The protection of the right of the future generations to defend Nature. Even though the company polluted with the state's agreement, this situation shouldn't prevent the actual and future generations to defend Nature. Ecological crimes shouldn't stay unanswered.