

JOINT CIVIL SOCIETY STATEMENT

28 April 2012

SHELL MUST OWN UP, PAY UP, AND CLEAN UP THE NIGER DELTA

We, the undersigned organisations and residents of Nigeria's oil affected communities, are today staging a peaceful demonstration outside Shell's offices in Port Harcourt, Rivers State to highlight the devastating human rights and environmental impact of the oil company's operations in the Niger Delta. We are calling on Shell to own up, pay up, and clean up the Niger Delta.

For decades Shell has been allowed to profit from the Niger Delta's natural wealth despite the fact that oil pollution from its operations has ravaged the environment, causing misery for the people living there.

For years, people in the Niger Delta have been forced to live with the consequences of widespread oil pollution. The water, food and air are contaminated, people are exposed to serious health risks and their traditional way of earning a living has been destroyed. Those affected struggle to secure justice and adequate compensation, particularly women who are often excluded from the compensation negotiation process.

Shell can no longer ignore the concerns of local communities, which are backed by hard evidence from NGOs and international bodies including the African Commission for Human and Peoples' Rights and the United Nations (UN).

Shell must face up to the overwhelming body of evidence demonstrating that for decades the company has failed to properly prevent or address oil pollution in the Niger Delta, leaving communities exposed to sustained violations of their economic, social and cultural rights. The company cannot continue to make excuses – affected communities need a comprehensive clean up of pollution and proper compensation for what they have lost.

The Government of Nigeria bears significant responsibility for the impacts of oil pollution in the Niger Delta. The government has failed to enforce existing laws and regulations to prevent pollution and hold the oil industry to account, meaning they are freely flouted by companies like Shell without any concern for the consequences.

As the main oil industry operator in Nigeria, Shell cannot evade its share of the blame for environmental damage and human rights abuses in the Niger Delta. Shell has not done enough to prevent pollution. And when oil spills occur Shell does not clean up fast enough, it does not clean up effectively enough, and sometimes it simply doesn't clean up at all.

When confronted with the serious problems in its Niger Delta operations, Shell has focused on defending its corporate image, often pointing the finger of blame at communities, and making claims that simply do not stand up to scrutiny.

A recent independent assessment of an oil spill that occurred at Bodo in 2008 exposes how Shell has grossly underestimated the size of the spill. Based on the findings of the assessment, the quantity of oil spilt at Bodo was more than 60 times the volume Shell has repeatedly claimed leaked.

Shell also repeatedly claims that illegal activities, such as oil bunkering and sabotage are the cause of the vast majority of oil spills. However, Shell has an obligation to both clean up oil

spills no matter what the cause and prevent tampering with its oil infrastructure. Oil companies in the Niger Delta complain about illegal activities but have not done enough to make their infrastructure safe – and it is communities who pay the heaviest price.

The protests and demonstrations this week in Nigeria and in many other countries around the world should act as a wake up call to Shell. The company and the Nigerian Government must act now and finally clean up the Niger Delta.

The undersigned civil society groups call on Shell to immediately undertake the following concrete steps:

- Clean up all oil spills to internationally accepted standards, and in consultation with the community, and ensure independent verification of the clean-up.
- Apologize, and pay proper compensation to those affected by pollution and environmental damage, taking into account long-term impacts, health issues and all other reasonable damages, and take action to rehabilitate land and water systems – working with all relevant stakeholders, including local communities.
- Overhaul its operating practices, particularly in relation to clean up processes, oil spill investigations and compensation payments.
- Make public all information about the impact of oil operations on the environment and human rights.
- Conduct a full inspection of all Shell's assets and infrastructure to ensure it is made safe, and make the findings public.

We further call on the Nigerian Government and National Assembly to ensure environmental regulations are enforced and the long-term systemic problems related to the oil industry are addressed, including by the passage of the Petroleum Industry Bill in a form that addresses the social, health and environmental impacts of the oil industry.

Background

Today's event represents the climax of a global week of action in which thousands of Amnesty International activists protested outside Shell offices and petrol stations in more than 16 countries in Europe, Africa, the Americas, and Asia – from Japan to Sweden, Senegal to the USA, as well as Shell's home countries the Netherlands and the United Kingdom. The hundreds of Nigerians taking part in today's demonstration join thousands of activists in more than sixteen countries who have taken action this week to voice their outrage over Shell's conduct in the Niger Delta.

Research by Amnesty International and CEHRD into two massive oil spills from a Shell pipeline in Bodo, Ogoniland, in 2008 highlights several serious failures in how Shell responds to oil spills. Shell allowed both spills to gush for weeks before stopping the leaks. The company failed to deliver adequate relief to those suffering as a result of the spills. More than three years after the first spill started, the oil pollution at Bodo still not been cleaned up. After failing to secure compensation through the Nigerian courts, the Bodo community was forced to pursue justice through an ongoing case in the UK courts. The Bodo disaster is symptomatic of the wider situation surrounding the Niger Delta oil industry.

In 2001, following an investigation, the African Commission stated that: "Pollution and environmental degradation to a level humanly unacceptable has made living in Ogoniland a nightmare." The Commission called on the government to protect the environment, health and livelihood of the people of Ogoniland. It urged the authorities to ensure adequate compensation to victims of the human rights violations, to undertake a comprehensive clean-up of lands and rivers damaged by oil operations, and to provide information on related health and environmental risks. It also called for communities likely to be affected by oil operations to be given meaningful access to regulatory and decision-making bodies. The African Commission's decision has never been implemented in Nigeria.

In August 2011, a major report by the United Nations Environment Programme (UNEP) provided scientific evidence exposing Shell's systematic failure to properly clean up oil pollution in the Ogoniland region. UNEP found that many sites which Shell had reportedly cleaned still had pollution exceeding government environmental standards and even Shell's own standards. UNEP identified that one of the most serious consequences of Shell's lack of an effective clean up was severe contamination of groundwater, putting communities health at serious risk.

SIGNED BY:

Amnesty International,
Centre for Environment, Human Rights and Development (CEHRD)
Oil affected communities
Environmental Rights Action (Friends of the Earth)
Ogoni Solidarity Forum (OSF)
Social Action
Peoples Advancement Centre (PAC)
Ogoni Land Owners Association