

AMNESTY INTERNATIONAL

OPEN LETTER

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Corporate Policy v Corporate Practice – a reality check

“Shell companies recognise that regular dialogue and engagement with our stakeholders is essential. We are committed to reporting of our performance by providing full relevant information to legitimately interested parties, subject to any overriding considerations of business confidentiality. In our interactions with employees, business partners and local communities, we seek to listen and respond to them honestly and responsibly.”

Shell: Business Principle 7

Dear Mr Voser,

Communities in the Niger Delta frequently do not have access to even basic information about the impact the oil industry has on their lives – even when they are the “host” community. This lack of information feeds fears and insecurity within communities, contributes to conflict and fundamentally undermines human rights.

Shell has made commitments to human rights and to “manage the social impacts of its business activities carefully and work with others to enhance the benefits to local communities and to mitigate any negative impacts from our activities”. A crucial aspect of ensuring that corporate action respects human rights is the assessment of risks to human rights and the disclosure of information on how corporate operations will affect people. This has been clearly acknowledged by the United Nation’s Special Representative of the Secretary-General on business and human rights.

But in the Niger Delta Shell does not do this.

Shell has – in its Business Principles - recognised the importance of information and made a commitment to *“reporting of our performance by providing full relevant information to legitimately interested parties, subject to any overriding considerations of business confidentiality.”*

As organisations working with communities in the Niger Delta, we are calling on Shell to make good on this commitment.

As the new Chief Executive of Shell you inherit the legacy of Shell’s failures and poor practice in the Niger Delta. This legacy is – in part - the result of Shell’s failure to effectively prevent and address environmental damage and pollution caused by its operations. We believe your term as Chief Executive can – and must – be a turning point for Shell.

Your first 100 days

Shell must clean up its operations in the Niger Delta. Providing information is a key element of this. As a first step we are calling on you, within your first 100 days as Chief Executive, to provide the following information, which we consider meets the requirements of *“relevant information to legitimately interested parties”*:

- All of Shell’s Environmental Impact Assessments for the Niger Delta
- A list of all the studies or surveys that Shell has carried out on the impacts of its operations in the Niger Delta on the environment and people of the delta. In particular any information on the impacts on fisheries, agriculture, livelihoods, health; any studies on oil spills, gas flaring or waste disposal

- Copies of these reports, studies or other data – or the reason why Shell considers they should not be made public
- A list of all oil spills that are yet to be fully remediated, including volume of oil spilt, cause and location.
- The Niger Delta Environment Survey

We are aware of no legal restriction on the publication of the information we have requested. If the government prohibits the disclosure of any of this information, we call on Shell to state this fact publicly and we will work with you to challenge the government on this issue.

We are also calling on you to make a public commitment during your first 100 days to undertake a comprehensive assessment of the social and human rights impacts of all Shell's oil and gas projects in the Niger Delta, ensuring adequate information is provided to affected individuals and communities and that the process is transparent.

We are making this request as part of a joint campaign to promote the evolution of corporate policy into corporate practice. As part of this campaign we will be testing all of Shell's corporate policies on human rights and the environment in the Niger Delta.

We look forward to receiving this information.

Yours sincerely,

Africa Centre for Corporate Responsibility

Amnesty International

Centre for Environment, Human Rights and Development

Centre for Social and Corporate Responsibility

Environmental Rights Action

Kebetkache Women Development and Resource Centre

Movement of the Survival of the Ogoni People

Nigerian Conservation Foundation

Social and Economic Rights Action Centre

Public Document

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