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Nigeria: Amnesty International says pollution has created human rights tragedy in the Niger Delta

(Abuja) Amnesty International today called the situation in the Niger Delta a “human rights tragedy,” saying that the people of the Niger Delta have seen their human rights abused by oil companies that their government cannot or will not hold to account.

“The Niger Delta provides a stark example of the lack of accountability of a government to its people, and of multinational companies’ almost total lack of accountability when it comes to the impact of their operations on human rights,” said Audrey Gaughran, Amnesty International’s Head of Business and Human Rights and co-author of a major new report, *Petroleum, Pollution and Poverty in the Niger Delta*, released today at a press conference in Abuja.

The report examines oil spills, gas flaring, waste dumping and other environmental impacts of the oil industry. The majority of the evidence on pollution and environment damage gathered by Amnesty International, and contained in its new report, relates to the operations of Shell, the main oil company operating on land in the Niger Delta.

“People living in the Niger Delta have to drink, cook with and wash in polluted water. They eat fish contaminated with oil and other toxins – if they are lucky enough to be able to still find fish. The land they farm on is being destroyed. After oil spills the air they breathe smells of oil, gas and other pollutants. People complain of breathing problems and skin lesions – and yet neither the government nor the oil companies monitor the human impacts of oil pollution,” said Audrey Gaughran.

The human rights impact of pollution in the Niger Delta is greatly under-reported. The majority of people in the Niger Delta depend on the natural environment for their food and livelihood, particularly through agriculture and fisheries.

“The Nigerian government is aware of the risks that oil-related pollution poses for human rights, but has failed to take measures to ensure those rights are not harmed. Despite the widespread pollution of the Niger Delta’s land, rivers and creeks – and the many complaints from people living in the region - we could find almost no government data on the impact on humans of any aspect of oil pollution in the Niger Delta.”

Amnesty International said that government regulation of the oil industry has been wholly inadequate.

“The Nigerian government is failing in its obligation to respect and protect the rights of people in the Niger Delta to food, water, health and livelihood,” said Audrey Gaughran. “Some oil companies, for their part, have taken advantage of this government failure, and have shown a shocking disregard for the human impact of their activities.”

There have been some recent signs of improvement, however. The recently-established National Oil Spill Detection and Response Agency (NOSDRA) appears to have a more robust approach.

“We welcome the more pro-active approach NOSDRA appears to want to take – but it needs more resources,” said Audrey Gaughran.

“The government must address the human impact of oil industry pollution. They have a duty to protect their citizens from human rights abuse or harm by businesses – and they are failing in that duty.”

The organization also accused the Nigerian government of effectively placing substantial responsibility for remedying human rights abuses in the hands of the very actors responsible for the abuse – the oil companies. As a result, remedies are often ineffective.

However, in its report, Amnesty International does not lay the blame solely on the Nigerian government.

“A government’s failure to protect the human rights of its people does not absolve companies from responsibility for their actions,” said Audrey Gaughran. “Oil companies such as Shell are not free to ignore the consequences of their actions just because the government has failed to hold them to account. The international standard is not ‘whatever a company can get away with’ - there are international standards for oil industry operations, and in relation to environmental and social impacts, that oil companies in the Niger Delta are very well aware of.”

“Despite its public claims to be a socially and environmentally responsible corporation, Shell continues to directly harm human rights through its failure to adequately prevent and mitigate pollution and environmental damage in the Niger Delta,” said Audrey Gaughran.

Shell and other companies also do no adequate monitoring of - or disclosure of information on - the human impacts of oil operations. 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.

Amnesty International said that clean-up processes in the Niger Delta frequently fail to meet any expert understanding of good practice, with some companies negligently allowing unqualified staff to clean up oil spills, resulting in ongoing contamination of land and water.

Almost every community visited by Amnesty International recounted that creeks, ponds or rivers had been damaged by oil spills or other oil-related pollution – often more than once, leading to community anger.

Communities and armed groups in the Niger Delta have also contributed to the problem of pollution, by vandalizing oil infrastructure and the theft of oil. But the scale of this problem is not clear.

“The Nigerian government desperately wants to see an end to the conflict in the Niger Delta,” said Audrey Gaughran. “But the poverty and conflict that continues to scar the Niger Delta will not be resolved until underlying causes – including decades of environmental damage – and impunity for abuses of the environment and human rights ends, and until the Nigerian government garners sufficient political will and the means to deal with the oil company activities that cause widespread damage to human rights.”

Note to editors:

On 1 July 2009 Mr Peter Voser will take over as the new Chief Executive of Royal Dutch Shell. As the new Chief Executive he inherits the legacy Shell’s failures and poor practice in the Niger Delta. This legacy is –

in significant part - the result of Shell's failure to effectively prevent and address environmental damage and pollution caused by its operations. Amnesty International has sent Mr. Voser a copy of its report, and called on him to make cleaning up Shell's operations in the Niger Delta a top priority. As a first step – Amnesty International has joined colleagues from the Niger Delta to ask Mr Voser to 'come clean' on Shell's impact on human rights by disclosing critical information and making a public commitment to assessing the social and human rights impact of Shell's operations.

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