

Oil spills and gasflaring cause problems for people and the environment in the Nigerdelta. Shell is the biggest foreign oil company in Nigeria. The multinationals still refuses to take enough responsibility for the problems caused by their activities.

Informationpaper

Nigeria: oil spills and gas flaring

Shell has been operating in the Niger Delta in Nigeria since the 1930s. Nigeria is the largest oil producer in Africa and number 11 in the world. In 2004, 2.5 million barrels of crude oil were produced per day. One million of these, on average, are produced by Shell, making it the largest foreign oil company in Nigeria. The Niger Delta, once known for its rich ecosystem and fertile agricultural and fishing grounds, now carries the scars of oil pollution and gas flaring by the oil industry. Despite its oil and gas reserves, Nigeria is one of the world's poorest countries. Most of its earnings go to foreign oil companies and the Nigerian government – the Nigerian people receive no benefit and instead are burdened by the negative consequences of oil production.

Oil leaks in Nigeria

Leaking pipelines and oil spills have severely polluted the land and water of the Niger Delta. Thousands of oil leaks have occurred over the last 40 years, and many have still not been cleaned up.

Oil facilities and operations are located in key ecological areas, including important fishing grounds, mangroves and tropical rainforest. These areas are often heavily damaged by the oil leaks. Drinking water is polluted, people become ill and farmers lose their income because they can no longer cultivate the soil.

Shell's reply is that most leaks are caused by oil thieves. Sabotage does indeed occur regularly. Shell, however, remains responsible for the problems caused by these leaks. And that is only a small part of the story. According to Shell's own reports, 86 leaks were attributed to the company's own errors in 2005 alone. For example, a great many of the pipelines are 30 to 40 years old.

In 2006, a commission consisting of the WWF, IUCN¹ and the Nigerian government carried out a study which showed that tens of billions of dollars will be needed to clean up the pollution caused by oil activities in Nigeria.



Gas flaring

When oil is extracted from the ground, gas is released. In order to make use of that gas, an installation must be built to which the gas can flow. If there is no such installation, the gas is ignited, which is called flaring. Massive flames burn 24 hours per day, causing noise and air pollution.

The smoke released is damaging to people who live nearby such a flare. Research has shown that inhalation of the substances released can lead to asthma, chronic bronchitis and premature mortality. Furthermore, the smoke contains carcinogenic substances such as benzene and dioxin, which can lead to acute leukaemia. The flaring produces acid rain in the Niger Delta, which is harmful to vegetation and crops. The smoke is also a major contributor to greenhouse gases.

In 1996 Shell had already announced that it would stop flaring gas. Although the company still says it is working hard on this, in 2005 more

¹ De International Union for the Conservation of Nature (IUCN) is an international conservation organisation.

gas was flared than in 2002. Stopping the flaring of gas would cost 1.55 billion dollars. Shell says that it wants to make this investment, but only plans to stop flaring in 2009. Why must it wait so long? Gas flaring has been illegal since 1984. Isn't Shell simply required to obey the law?



Lawsuit

On 20 June 2005, Jonah Gbemre, a representative of the Iwherekkan community in the Niger Delta, filed a charge against the Nigerian government and Shell regarding the gas flaring. On 14 November 2005 the Nigerian federal court ruled that oil companies such as Shell must stop flaring gas in the Niger Delta. The court ruled that these practices are unconstitutional. Judge C.V. Nwokorie declared that the flaring inflicts serious damage to people and the environment. In addition to Shell, ExxonMobil, ChevronTexaco, TotalFinaElf and Agip oil companies are also guilty of flaring. These companies have also been prohibited from flaring.

Shell appealed this decision. In response, on 16 December 2005 Jonah Gbemre instituted legal proceedings against Shell Nigeria and NNPC (a state-owned oil company) for their refusal to stop flaring gas in the Niger Delta.

The Nigeria Supreme Court ruled in April 2006 that Shell must stop flaring gas in Iwherekkan by April 2007.

Reverend Nnimmo Bassey of ERA, Milieudefensie's Nigerian sister organisation, said in response: 'Judges have now twice ruled against the oil companies, and ordered them to stop their harmful and polluting activities. We presume that the verdict will be respected.'

Shell has to take his responsibility

Shell headquarters in Den Haag refuses to take responsibility for the problems in Nigeria. Shell keeps repeating that the responsibility lies with Shell Nigeria. The efforts of Shell Nigeria however, are too small to really solve the problems. Interference from the headoffice in the Netherlands is necessary.

Milieudefensie urges chief executive Jeroen van de Veer to take action in Nigeria. Shell has to spend immediately 1.55 billion dollar to stop the gas flaring.

Further Shell, as the biggest foreign oil-company in Nigeria, has to contribute at least ten billion dollar to clean up the environmental damage caused by oil spills and they should compensate local communities for suffered damage.

Read more

Report 'Use your profit to clean up your mess. Report on how Shell should fund local solutions for environmental and social destruction caused by its projects', Shell Accountability Campagne, February 2007.

Report 'Lessons not learned. The Other Shell Report 2004', Friends of the Earth en Milieudefensie, June 2005.

Report 'Gas flaring in Nigeria' Environmental Rights Action/Friends of the Earth Nigeria, June 2005.

You can download them from www.foenl.org

Meer informatie: www.foenl.org and www.shelltruth.com