



Issues and Dilemmas

During the 1990s, we were heavily criticised for our lack of commitment to Human Rights, for our environmental track record and for failing to address the needs of the communities of the Niger Delta. There have even been accusations of corrupt practices in relation to our Community Development projects. Some of these issues are in the past, but many continue to be debated in the world press. You can read our current stand on these topics in this section.

Human Rights

Since the return to civil rule in Nigeria in 1999, democracy has taken root. Three years on, there is greater opportunity for freedom of speech and a return of respect for fundamental human rights. Shell companies in Nigeria welcome this change and look forward to continuing to improve our relationships with host communities.

Human Rights in Nigeria in the 1990s

In the late 1990's, SPDC was criticised for continuing to do business in Nigeria because of the country's human rights record under the military government of the time. Many people thought that we should pull out of Nigeria; others advocated that we should have used our 'influence' to force the government to improve its record.

We did, however, speak out both publicly and privately about human rights issues on a number of occasions. For instance, during the trial of Ken Saro-Wiwa and eight other Ogonis, we publicly stated that the accused had a right to a fair legal process. Before the trial, we said Ken Saro-Wiwa had a right to freely hold and air his views. After the trial verdict was announced, we said publicly that carrying out the death penalty would damage the process of reconciliation in Ogoni land. The then Chairman of the Shell Group also sent a personal letter to the Nigerian Head of State appealing for clemency on humanitarian grounds. Sadly, this and other appeals from concerned countries, organisations and individuals went unheard.

On the 'Ogoni Twenty' issue, SPDC repeated its calls for early justice, for a trial that would not only be fair, but would be seen to be fair, for humane treatment and clemency for those found guilty. The people concerned were finally released in September 1998.

Shortly after the arrest of Batom Mittee and others in January 1998, the company had written to the authorities to express its concern. We appealed for the highest standards of human rights to be upheld - particularly in respect for unhindered access to medical and legal services, dignified treatment and a speedy and fair trial process. Subsequently, Batom Mittee was released.

We also asked the Government to consider withdrawing the Internal Security Task Force in Ogoni land, which in due course, it did. Shell was then and continues to be strongly opposed to violence and we repeatedly stated that we would not operate behind a military shield in the Delta. We will neither use force, nor request its use to suppress demonstrations by peacefully protesting communities, even if production is disrupted. Dialogue to resolve the underlying problems - not force - is the answer in such situations.

Amnesty International and Human Rights Watch

In November 1996, Amnesty International released a report entitled 'Nigeria: Time to end the contempt for human rights'. In this it stated that "...in its approaches in recent years to Shell and

other trans-national companies with significant investments in Nigeria, Amnesty International has appealed to them to acknowledge their responsibility to do all that they can to uphold human rights under the Universal Declaration of Human Rights. Only Shell has done so to date." So far as we are aware, we are still the only company that did this at that time.

During an interview around the same time with Dow Jones Newswire, a spokesman for the US based group, Human Rights Watch said "Shell, part of Royal Dutch/Shell Group, expressed its support for the Universal Declaration of Human Rights in 1994, but other companies like Mobil Corp of the US and Elf Aquitaine of France have done nothing and the situation in the Niger Delta has deteriorated."

The Ogoni Issue

Prior to SPDC's enforced withdrawal from Ogoni territory in January 1993, in the face of threats made against staff, the area accounted for around 4% of its oil production. Various allegations have since been made about the company's activities in the area, one of which is environmental devastation of the area.

The Movement for Survival of Ogoni People (MOSOP) have been campaigning for some years for the right to control and use a fair proportion of Ogoni economic resources for development purposes, and greater autonomy and control over their affairs, (including cultural, religious and environmental matters). MOSOP's demands were summarised in their 1990 'Ogoni Bill of Rights', which are mostly of a political nature and addressed to the Nigerian Government.

SPDC agrees that, in the past, not enough oil revenue has been returned to the oil producing areas for developmental purposes. But the company cannot dictate how its contribution to the national purse should be spent - this is a matter for Nigeria and is indeed at the heart of most Nigerian political discussion. We have made our views known and contributed to debates aimed at improving governance of the allocation of oil revenue to oil-producing communities, which includes the Ogonis. SPDC has been actively involved in the oil revenue issue since 1980 and participated in two local government reviews. Perhaps as a result of these efforts, allocation of oil revenues to oil-producing communities was increased from 3% to 13% in 1995. This increase only became effective in April 2000.

In May 1996, we offered to clean-up oil spills in Ogoni land that have occurred since we withdrew, refurbish community projects and discuss with communities in the spirit of reconciliation. Reconciliation is a delicate process, and one that cannot be rushed. We have since had discussions with various groups of people interested in the process, and there are a number of concerned and well-respected individuals and organisations (such as the churches) who are working hard to bring about reconciliation. We support the efforts being made and we are committed to the reconciliation process.

Meanwhile, SPDC's community programme in Ogoni continues. However, the company has always maintained that any future resumption of oil production in Ogoniland is contingent on the support of all Ogonis.

Ken Saro-Wiwa

In November 1995, leading Ogoni activist Ken Saro-Wiwa, MOSOP's leader, and eight others, were convicted and later executed on charges of incitement to murder. Some have said that SPDC did nothing to stop this.

On the contrary, the facts are that, despite Ken Saro-Wiwa's criticisms of Shell in general and SPDC in particular, we said that he had a right to freely hold and air his views. During the trial, we consistently and publicly stated that all the accused had a right to a fair legal process. After the trial verdict was announced, Cor Herkstroter, the former chairman of Royal Dutch/Shell Group, also sent a personal letter appealing to the Nigerian Head of State to show clemency on humanitarian grounds. Regrettably, despite our appeal and those of others, the executions went ahead.

We also made our position clear on the Ogoni 20, who were detained in 1994 for the same murders as Ken Saro-Wiwa. They were released in September 1998. Like all Shell companies world wide, SPDC can not interfere in domestic politics. But the company can, and does, make its views known publicly on human rights matters.

Environmental issues

In 1995, Shell in Nigeria was severely criticised for its environmental performance in the Niger Delta, and even of causing environmental devastation. However, at that same time, The World Bank, published a wholly independent report which, to date, remains the most comprehensive study of the environment of the Niger Delta . The report states that: 'Oil pollution, contrary to common perception, is only of moderate priority when compared with the full spectrum of environmental problems in the Niger Delta.'

Nonetheless, since that time, we have revised our environmental management strategy from the ground up and have improved our performance in every aspect of our operations. Today, we are acknowledged, world-wide, to be striving to achieve the use of best practice in everything we do, against the backdrop of difficult operating conditions. We are also making the largest single financial contribution of any private company, to the sustainable development of the region.

All our staff and our contractors are trained in environmental awareness. We talk face to face with representatives of our host communities about their environmental concerns and about remediation.

Together with our Joint Venture partners, we have a vast programme of gas utilisation and gas marketing in place which will contribute to achieving our promise of eliminating gas flaring in Nigeria by 2008.

We are also closely involved with Nigerian and international environmentalists, in studying the delicate ecology of the Niger Delta and putting measures in place to protect its fragile eco-system for generations to come.

Most importantly, all projects undertaken by Shell in Nigeria today, are subject to Environmental Impact Assessments before work begins. These studies now take into account the likely impact of all oil and gas related projects on the people in the region, as well as the land itself.

We acknowledge that openness and trust are essential if we are to operate profitably in Nigeria and contribute to the socio-economic development of the Niger Delta.

You can read about our environmental performance and our commitment to sustainable development in every part of this website. If you have views on our past or present performance, we hope you will get in touch.
