



CHIEF OLEPHIRI FRANKLIN IGOMA (JP) UWEMA (PARAMOUNT RULER) AMINIGBOKO COMMUNITY

AMINIGBOKO COMMUNITY
EMUGHAN DISTRICT
ABUA/ODUAL L.G.A
RIVERS STATE

C/o The Secretary to The Palace
Ipah Royal House,
Akiro Family
Aminigboko, Abua
Tel: 08056050981
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Our Ref: UAP/ACA/01/OCT2019

Your Ref:.....

Date: 9th October, 2019.....

SPECIFIC INSTANCE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES

RE: Failure of The Shell Petroleum Development Company of Nigeria Limited to Obey International Best Practices & The OECD Guidelines While Instigating a Crisis in the Aminigboko Community of Abua/Odual Local Government Area of Rivers State, Nigeria Due to Shell's Enwhe Field Development Project – Gbaran Phase 3.

Appeal for Urgent Intervention & Mediation in Order to Ensure Proper Policy Implementation and to Avert Further Breakdown of Law and Order.

ADDENDUM

Following conference call on Tuesday, October 1, 2019 with NCP/OECD officials, kindly find attached additional relevant documents to issues raised by Aminigboko Community in Abua/Odual Local Government Area of Rivers State, Nigeria, against The Shell Petroleum Development Company of Nigeria Limited due to Shell's Enwhe Field Development Project – Gbaran Phase 3, as addendum:

1. Non compliance of SPDC Community Trust and Support (CTS) Agreement for Contractor Entry by Arc Marine Construction Limited as contained in Detail Complaint and Breaches of the OECD Guidelines point № 4 of submission, dated May 10, 2019, appendix 1.
2. Illegal appointment of Chief Security Officer and purported Abua/Odual Cluster Board Chairman, and threats to lives of Aminigboko Community leadership cabinet members as contained in Detail Complaint and Breaches of the OECD Guidelines points № 5, 6, 12, 13, 14 & 26 of submission, dated May 10, 2019, appendix 2.
3. Breach of SPDC GMoU Agreement & Operating Principle and Procedure Guidelines - OPPG in SPDC Host Communities (section 3.1.6 pages 18) as contained in Detail Complaint and Breaches of the OECD Guidelines points № 6, of submission, dated May 10, 2019, appendix 3.
4. SPDC/Contracting Companies' forceful entry into the land of Akiro family and Ogbolo Family in Aminigboko Community under heavy security for operations, without due consultation with Chiefs/Heads of respective families as contained in Detail Complaint and Breaches of the OECD Guidelines points № 7, 8 & 21 of submission, dated May 10, 2019, appendix 4.

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Chief Olephiri Franklin Igoma (JP)
Uwema Aminigboko Community-Abua
08073456996

Chief Promise Sunday Igoma (JP)
Oola-Eghun Akiro

Chief Godpower Akari
Ag. Chief Thankyou Wariboko Akari
Oola-Eghun Ogbolo

Oola-Eghun Ukwo

Chief M.B. Osila
Oola-Eghun Atian

5. SPDC have declined to engage stakeholders amidst formal request to The Managing Director, SPDC as contained in Detail Complaint and Breaches of the OECD Guidelines point № 10 of submission, dated May 10, 2019, appendix 5.
6. SPDC have declined to engage with the Aminigboko Community for the provision of infrastructural development of our community as contained in our EIA response/review report to SPDC as contained in Detail Complaint and Breaches of the OECD Guidelines point № 11 of submission, dated May 10, 2019, appendix 6.
7. SPDC has yet to release the FINAL REPORT OF ENVIRONMENTAL IMPACT ASSESSMENT (EIA) for the Enwhe Field Development Project – Gbaran Phase 3, despite a formal request made to SPDC as contained in Detail Complaint and Breaches of the OECD Guidelines point № 17 of submission, dated May 10, 2019, appendix 7.
8. In a related development, formal request made to relevant government agencies to intervene and prevail on SPDC to release the Final Report of Environmental Impact Assessment (EIA) Report for the Enwhe Field Development Project – Gbaran Phase 3, appendix 8.
9. SPDC declined to approve, employ and train Welders, Fitters, Scaffolders, Riggers, Electricians, Earth Moving Machine Operators, etc, under the Employment and Training Scheme for engagement in the forthcoming Enwhe Field Development Project – Gbaran Phase 3, as contained in the EIA, page xvi, thereby refusing to develop capacity to enable community participation in the project execution phase and beyond as contained in Detail Complaint and Breaches of the OECD Guidelines point № 19 of submission, dated May 10, 2019, appendix 9.
10. Rather than engage and get the consent of the landowners by engaging with the Chief/Head of host families, SPDC has stopped Freedom To Operate/Community Trust and Support Agreement negotiation & signing, and has militarized its operations of Enwhe Field Development Project – Gbaran Phase 3 as contained in Detail Complaint and Breaches of the OECD Guidelines point № 25 of submission, dated May 10, 2019, appendix 10.
11. SPDC is yet to engage Aminigboko Community recommended Community Relation Officer (CRO) for Enwhe Field Development Project – Gbaran Phase 3 for proper community and SPDC interaction as contained in Our Request of SPDC & SHELL point № 15 of submission, dated May 10, 2019, appendix 11.
12. Past effort to resolve these Complaints via email to spdccommunitycontact@shell.com. SPDC did not respond with any formal engagement with the Aminigboko Community leadership to address our plights as contained in page 8 of 19 of submission, dated May 10, 2019, appendix 12.



13. Furthermore, the Aminigboko Community leadership also made a formal complaint on the failure of SPDC Community Feedback Mechanism to address the company's (SPDC) harmful practices, which have been instigating crisis in Aminigboko Community, to:

- (i) The Director, Department of State Service, Rivers State Command, Rivers State (Approved Request For Audience / Presentation document), appendix 13a
- (ii) The Honourable Minister, Federal Ministry of Environment, Abuja, Nigeria (Reply to concerns raised against SPDC), appendix 13b
- (iii) The National Human Rights Commission, Abuja, Nigeria (Replied via letter dated 2nd January, 2019 reference number C/2018/ESCR/4737/HQ and advised us to explore internal dispute resolution mechanism set out by the Rivers State Government), appendix 13c
- (iv) Nigerian Content Development Monitoring Board (Acknowledged receipt but no response), appendix 13d
- (v) The Commissioner of Police, Rivers State Command, Rivers State (Approved Request for Audience / Presentation documents), appendix 13e
- (vi) The Commander, Joint Task Force, Operation Delta Safe, Yenegoa, Bayelsa State (Acknowledged receipt of letter on 29th October, 2018; Approved request for audience / mediation process initiated is STALLED by SPDC), appendix 13f.

14. Landowners Institute Legal Suits Against SPDC: In the absence of any engagement by SPDC to address our plight, landowners have resorted to legal suits against SPDC that bothers on Freedom to Operate (FTO) engagement, negotiation, signing by authorized signatory, and the illegal constitution of SPDC Abua/Odual Cluster Development Board:

1. Chief Simon Maduko vs. Shell Petroleum Development Company Nigeria Limited: Suit No. PHC/PH/CS/166/2018 (*Maduko Family, Aminigboko Community suit against SPDC on Freedom to Operate / Community Trust Support consultation/negotiation before signing by the Chief/Head of the family*), appendix 14a
2. Chief Promise Sunday Igoma vs. Shell Petroleum Development Company Nigeria Limited: Suit No. PHC/PH/CS/168/2018 (*Akiro Family, Aminigboko Community suit against SPDC on Freedom to Operate / Community Trust Support consultation/negotiation before signing by Chief/Head of Akiro family - authorized signatory*), appendix 14b
3. Chief Godpower Mark Akari vs. Shell Petroleum Development Company Nigeria Limited: Suit No. PHC/PH/CS/169/2018 (*Ogbolo Family, Aminigboko Community suit against SPDC on Freedom to Operate / Community Trust Support consultation/negotiation before signing by Chief/Head of Ogbolo family – authorized signatory*), appendix 14c



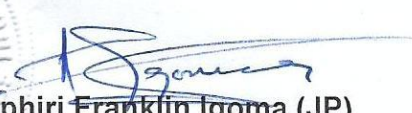
4. Chief Promise Sunday Igoma & Ors vs. Shell Petroleum Development Company Nigeria Limited: Suit No. PHC/PH/CS/ /2018 (*Aminigboko Community Trust Nominees against SPDC on community list exclusion and imposition of illegal nominee by SPDC*), appendix 14d
5. Chief Promise Sunday Igoma & Ors vs. Daewoo Nigeria Limited: Suit No. PHC/3328/2019 (*Akiro Family, Aminigboko Community suit against Daewoo Nigeria Limited on forcefully entering into the land of Akiro Family – Aminigboko Community without the consent of Chief/Head of Akiro Family and without Memorandum of Understanding [MoU]*), appendix 14e.

On behalf of Aminigboko Community, Chief and Elders, and Community Development Committee, I submit this written complaint in good faith, against the activities of The Shell Petroleum Development Company of Nigeria Limited in regards to their Enwhe Field Development Project – Gbaran Phase 3 in Aminigboko Community. We kindly request the Dutch NCP's leadership's and support in order to provide assistance and help resolve this detailed complaint and breaches of the OECD Guidelines by The Shell Petroleum Development Company of Nigeria Limited in Aminigboko Community. We also urgently request to resolve this matter and that SPDC stops the incitement that threatens our lives on the ground.

Kindly acknowledge receipt of this complaint.

Thank you for consideration.

Yours faithfully,



Chief Osephiri Franklin Igoma (JP)
Uwema (Paramount Traditional Ruler)
Aminigboko Community, Emughan Clan,
Abua/Odual Local Government Area,
Rivers State, Nigeria.