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> Shell accused over misleading figures on Nigeria oil spills

SHELL ACCUSED OVER MISLEADING FIGURES ON NIGERIA OIL SPILLS

25 January

2011

Amnesty International and Friends of the Earth International today filed an official complaint against oil



Shell has no compensation liability when spills are declared 'sabotage'

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giant Shell for

breaches of basic standards for responsible business set out by the Organisation for Economic Co-operation and Development (OECD).

The organisations claim that Shell's use of discredited and misleading information to blame the majority of oil pollution on saboteurs in its Niger Delta operations has breached the OECD Guidelines for Multinational Enterprises. The complaint was filed with UK and Netherlands government contact points for the OECD.

Tomorrow, on Wednesday 26 January, Shell will be under scrutiny for its environmental and human rights impacts during a hearing in the Dutch Parliament on the company's activities in Nigeria.

In the mid 1990s Shell accepted that much of the oil pollution in the Niger Delta was due to the company's own failures. However, the company now blames sabotage by communities and criminals for most of the problem, citing misleading figures that purport to show as much as 98% of oil spills being caused by sabotage.

While sabotage is a problem in the Niger Delta, Amnesty International and Friends of the Earth have repeatedly challenged Shell's use of such figures, which have been strongly criticised by environmental groups and communities. Under Nigerian law, when spills are classified as being the result of sabotage, Shell has no liability with respect to compensation for damage done to people or their livelihoods.

"Shell's figures are totally lacking in credibility" said Audrey Gaughran of Amnesty International. "Widespread oil pollution is a key problem caused by oil industry in the Niger Delta, but the oil spill investigation system is totally lacking in independence."

Both Friends of the Earth and Amnesty International found that in many cases oil companies have significant influence on determining the official cause of a spill.

Nnimmo Bassey, Director of Friends of the Earth Nigeria (ERA) and chair of Friends of the Earth International said: "We monitor spills regularly and our observations often contradict information produced by Shell. Several studies have placed the bulk of the blame for oil spills in the Niger Delta on the doorsteps of the oil companies; particularly Shell. It should take its responsibility and clean up the mess it made in our country."

Despite repeated requests, Shell has so far failed to make clear the basis for the figures they have published and how the data were gathered. Furthermore, Amnesty International and Friends of the Earth have documented cases where Shell claimed the cause of a spill was sabotage, but the claim was subsequently questioned by other investigations or the courts.

In 2009 Shell was compelled to correct misleading information regarding the cause of oil spills. After repeatedly claiming that 85% of all oil spills in 2008 were caused by sabotage, it announced that the figure was closer to 50%. Neither the claims of 85% or 50% have been properly explained. Moreover, Shell made almost no attempt to correct the erroneous impression created by its widespread use of the 85% figure.

In over half a century of Shell's operations in the Niger Delta thousands of oil spills have left an appalling legacy of environmental harm. Water that people use for fishing and drinking is polluted with oil, while farm land and crops have been destroyed.

The misuse of data on the cause of oil spills, and the failure of Shell and the government to ensure fair, credible investigations perpetuates human rights abuses, by denying justice and compensation to communities.

Amnesty International's work on Business and Human Rights is part of its Demand Dignity campaign, which aims to end the human rights violations that drive and deepen global poverty. The campaign mobilises people all over the world to demand that governments, corporations and others who have power listen to the voices of those living in poverty and recognise and protect their rights. For more information visit <http://demanddignity.amnesty.org/campaigns-en/>

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