

Nigerian communities file damages claim against Shell in UK court

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A man walks on slippery spilled crude oil on the shores and in the waters of the Niger Delta swamps of Bodo, a village in the famous Nigerian oil-producing Ogoniland, which hosts the Shell Petroleum Development Company (SPDC) in Nigeria's Rivers State [Pius Utomi Ekpei/AFP]

London, February 2 (RHC)-- More than 11,000 Nigerians from the oil-producing Niger Delta region have filed a compensation claim against Shell at the London High Court.

The case filed on Thursday by UK law firm Leigh Day is the latest step in a case that will test whether multinationals can be held to account for the actions of overseas subsidiaries.

In 2021, the UK Supreme Court allowed a group of 42,500 Nigerian farmers and fishermen to sue Shell in the English courts after years of oil spills had contaminated land and groundwater. The judges said at the time there was an arguable case that Shell, one of the world's biggest energy companies, was responsible because it exercised significant control over its Nigeria subsidiary SPDC.

On Thursday, Leigh Day said it had filed claims on behalf of 11,317 people and 17 institutions including churches and schools from the Ogale community in the Niger Delta for compensation for loss of livelihoods and damage against Shell. Leigh Day said the claim from Ogale adds to one brought by members of the Bille community in 2015. That brings the total number of villagers seeking compensation from Shell to 13,652.

The claims said oil spills resulting from Shell's operations in the Niger Delta have destroyed farms, contaminated drinking water and harmed aquatic life. The average life expectancy in the region is 41 years, 10 years lower than the national average. "The next stage in the case is for a case management hearing to be set in Spring 2023, ahead of the full trial which is likely to occur the following year," Leigh Day said in a statement.

A Shell spokesperson said the majority of spills related to the Ogale and Bille claims were caused by illegal third-party interference, including pipeline sabotage but that SPDC would continue cleaning affected areas. "We believe litigation does little to address the real problem in the Niger Delta: oil spills due to crude oil theft, illegal refining and sabotage, with which SPDC is constantly faced and which cause the most environmental damage," the spokesperson said.

Oil spills, sometimes due to vandalism or corrosion, are common in the Niger Delta, a vast maze of creeks and mangrove swamps crisscrossed by pipelines and blighted by poverty, pollution and oil-fuelled corruption.

In 2020 and 2021, Nigeria's National Oil Spill Detection and Response Agency (NOSDRA) recorded 822 combined oil spills, totalling 28,003 barrels of oil spewed into the environment. SPDC was culpable for most of them, residents said, but the company has often blamed sabotage for the spills.

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