

“The Land is Dead”
Women’s Rights as Human Rights:
The Case of the Ogbodo Shell Petroleum Spill in Rivers State, Nigeria, June-July 2001

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Abstract of “The Land is Dead”

During my ten day visit in July 2001 to oil-impacted communities in Nigeria’s oilbelt, as a guest of Niger Delta Women for Justice and Environmental Rights Action/Friends of the Earth Nigeria; a massive spillage of crude petroleum took place in a large town called Ogbodo, near Port Harcourt. The fundamental right to life of thousands of Nigerians has been put in question by this Shell oil pipeline explosion and the resulting 18-day long spill. Human rights of all have been violated by corporate malpractice with state acquiescence. But especially the human rights of women have been violated. It is women who are the mainstay of the economy in the pristine tropical rain forest and riverine ecology of Ogbodo. It is women who gather seafood from the wetlands and mangrove swamps. It is women who make palm oil in hundreds of small factory operations. It is women who grow vegetables and gather medicinal herbs from the forests. It is women’s power that has been undermined by the sudden destruction of the economy of Ogbodo. Expanding corporate power, in this case expressed by Shell, the world’s second largest oil corporation; has eliminated overnight, the ecological foundation of women’s and men’s autonomous subsistence from which these self-confident peasant-fishing people had, for centuries, derived significant wealth and tremendous cultural resilience.

As women and men of Ogbodo struggle to survive on a day-to-day basis without drinking water and in the midst of breath-choking petroleum fumes; the web of resistance is woven yet again. A very long history of autonomous struggle is there as a grounding. But also there is in the Delta a raw fear of massacre. Shell, other transnational oil companies and the Nigerian state have visited upon oil-traumatized communities in the recent past the most terrible retribution for imagined and actual resistance to oil company presence and to oil company destruction. Shell’s unfounded charge, immediately upon hearing reports that the Shell pipeline carrying oil through Ogbodo had burst, was that villagers cut the line, despite its being buried six feet deep and split from its underside. Shell further charged that villagers prevented Shell personnel from entering the community. Villagers refuted these charges but expressed palpable fear that the false allegations were a prelude to military attack and massacre, since this was the characteristic pattern of response by oil companies and the government to crisis in the Niger Delta. Villagers’ terror was intensified when Shell contractors set alight crude oil on top of the creeks and lakes which surround almost all village land.

Women’s resistance is thus taking the form of declarations of cordiality to all visitors, especially the media. Ogbodo women moved to actively establish alliances with the non-governmental

organization, Niger Delta Women for Justice, immediately after the crude coursed through their farms and fishing ponds. On 14 July 2001 community spokespersons appealed for help and a hearing from human rights organizations, from Environmental Rights Action, from the United Nations and the Red Cross and from the international media. Women of Ogbodo draw strength from the gains made by Ogoni women in FOWA (Federation of Ogoni Women's Associations) within MOSOP (Movement for the Survival of the Ogoni People), the organization established by Ken Saro-Wiwa, who was executed in 1995 by the military regime with Shell complicity. The steadfast stand of Ken Saro-Wiwa's parents, who continue to call for popular resource control and the expulsion of Shell from the Niger Delta, serves as a strength and inspiration to the Ikwerre peoples from which the women and men of Ogbodo are drawn.

In June and July 2001, as G8 protestors against corporate globalization prepared to go to Genoa, Italy; on the ground in Nigeria 150,000 residents of the community of Ogbodo battled a massive petroleum spill from a Shell pipeline which burst on 24 June, churning crude into the surrounding waterways for 18 days until Shell clamped the pipe on 12 July. Severe environmental damage and threat to life by Shell's neglect is the other side of the 'corporate rule' coin of ever-expanding neo-liberal license. The dangers to human life, human rights and the environment were dramatically experienced by Ogbodo community members in Nigeria's 'Shell-Shocked' oilbelt. It is precisely these dangers that the 100,000 protestors on Genoa sought to causally link to the expansion of corporate rule.

Under the rubric of co-called 'free-trade' Shell and other oil companies are being given *carte blanche* to expand petroleum exploration and production activities in Nigeria and elsewhere with ever-decreasing provision for ecological and social accountability. For example, Nigeria and the World Bank have, in 2001, agreed to a US\$15,000,000 loan, in which World Bank public funds are made available to enable contractors to Shell to build petroleum infrastructure. What is especially negative about this loan is that it is made under a new 'fast track' provision which licenses Shell's contractors, who are the loan beneficiaries, to forego the carrying out of normal and, under World Bank operating principles, *legally required*, environmental and social impact assessments (Institute for Policy Studies and Friends of the Earth, 'World Bank plans to fund 'Risky' Project Involving Shell in Nigeria,' 24 May 2001. For copies of the leaked document containing details, visit <http://www.seen.org>).

Shell's June-July 2001 violations of environmental and human rights are assessed in the following eight points:

1. On 24 June 2001 the community of Ogbodo (150,000 people) in Rivers State, Nigeria, heard a loud explosion which was the bursting of a Shell Petroleum pipeline which traverses the village lands, themselves nearly surrounded by waterways. Crude oil began to spill out into the environment. Rains and swiftly flowing water rapidly distributed the crude oil into the waterways surrounding the community.

2. The next morning, June 25th, community members informed Shell Petroleum Development Corporation in Port Harcourt of the oil spill. Shell workers were on strike. No quick response was forthcoming. Days passed as the oil flowed into rivers around Ogbodo. Finally a Delta State based Spill Response Company contractor to Shell arrived on the site. Then a major fire raged around the town. Villagers claim that the contractor set the fire to burn off some of the crude. Trees were burned and community members fled in terror.

3. Eventually Shell deposited ten 500-litre drinking water plastic tanks in Ogbodo. This was drastically inadequate for the 150,000 people all of whom had depended on creeks for water. The tanks were filled every two to three days by Shell. The supplies of water were then withdrawn from the tanks by villagers in just a few hours. Shell's extremely inadequate response left the community with almost no drinking water, and nothing for cooking food, washing dishes, clothes or their bodies.

4. Some days after the spill began Shell sent an old van with three community health workers in it to dispense first aid, mainly in the form of tablets. There was one doctor with the team for a few hours each weekday but not on Sundays. Villagers were acutely ill. On Saturday 14 July I was informed by one of the health workers that he had seen only 12 patients that day. He would not comment further. Villagers complained of many ailments and told our media team that they were not being attended to. They informed us that three people who had been in good health prior to the spill had died just after it. Families with money and alternative lodging were evacuating Ogbodo. But the vast majority had no lodging alternatives and no water. Petroleum fumes were intense as were insect infestations including malaria-carrying mosquitoes.

5. On Monday 9 July 2001 contract workers employed by Shell stated that they had removed 70,000 barrels of crude from waterways via truck. On Saturday 14 July crude was covering waterways. I took a sample of water from the community's main water supplying stream: it is mainly crude oil.

6. On Tuesday 10 July Shell issued a press release in which the company falsely alleged that:

- a. the pipe was opened by community members engaged in sabotage;
- b. the community members prevented Shell personnel from approaching the spill site. The accusations were of hostility to Shell and threats of hostage taking

c. unknown parties had cut plastic tubes of about six inches in diameter which the clean-up contractor had placed in creeks in a (futile) attempt to stem the flow of crude into surrounding villages;

d. Shell had provided drinking water, food and medical attention to Ogbodo victims.

On 14 July chiefs and villagers stated that these claims were false. The Shell claim to have provided emergency water, food and medical attention was true but the amounts were so pitifully inadequate as to suggest that the claims were made by Shell strictly for public relations purposes.

7. On 14 July the chiefs refused to receive a few bags of relief food supplies until Shell retracted its false accusations regarding alleged sabotage of the pipeline (Shell's standard charge despite not ever bringing suspects to account) which was old and deteriorated with rust. The pipeline was well past its lifetime of safe operation and should have been replaced by Shell years ago. Villagers refused the token food supplies, which Shell deposited at the local police station, until Shell retracted its claims about hostility from villagers as Shell's reason for its very late response to the spill.

8. Shell drew up a draft 'Memorandum of Understanding' between itself and the Ogbodo chiefs in an attempt to conflate the following two distinct stages of oil company response to its spill of petroleum:

a. Stage One: emergency life support to the victims, including medical and evacuation response; combined with prompt halting of flow of crude in the broken pipeline, clamping of the pipeline and emergency clean-up of spilled crude;

b. Stage Two: longer-term reclamation of the environment, documentation of both short and long-term health implications pending compensation; and documentation of all other impacts and costs, in particular those concerning economic loss and elimination of a whole riverine, fishing and agricultural way of life.

By delivering a draft Memorandum of Understanding to the chiefs on 14 July prior to taking care of the first emergency concerns (a, above); Shell was making life-support dependent on chiefs signing a long-term compensation agreement. The villagers were in crisis and hence were not in a position to settle final compensation claims. The immediate need was and is for life support. But Shell was making the provision of such life-support conditional upon community agreement to substandard terms for basic compensation and fundamental rehabilitation. This is unprincipled and was identified by chiefs as yet another instance of continuing environmental racism on the part of Shell against their community and other settlements in the Niger Delta.

Shell was said to be offering compensation of 100 million naira (100,000 US dollars or UK sterling 60,000) to compensate for the devastation. This sum is absurdly inadequate, even for a single person from the 150,000 strong community. Nevertheless, the Nigerian media reported

that government representatives were endorsing Shell's proposed 'settlement.'

The chiefs' counter claim was to ask Shell for copies of the full agreements with the last five communities into which Shell had spilled crude oil which are located in Western Europe and North America. The Ogbodo chiefs intended to seek comparable long term reparations.

By mid-July Ogbodo women were working actively with members of the non-governmental organization, Niger Delta Women for Justice, in completing reporting questionnaires which facilitated their documenting the health and economic impacts of the Shell oil spill. Members of the Niger Delta Women for Justice have raised the question of seeking global solidarity in instituting a renewed international boycott of all Shell petroleum products. Members of Environmental Rights Action/Friends of the Earth Nigeria are engaged in defining methods for establishing 'resource control' by local people over petroleum in the Niger Delta. These non-governmental organizations along with the International Oil Working Group are raising the human rights violations committed by Shell and other petroleum transnationals in all available fora, with a view to gaining experience in organizing coordinated initiatives in several countries to resist and transcend the life-threatening corporate-rule regime. Meanwhile the August-September 2001 United Nations 'World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance', Durban, South Africa, will consider how comprehensive reparations, including for corporate environmental and economic racism, can best be secured.

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Further Information:

Terisa E. Turner is a co-director of the United Nations non-governmental organization, International Oil Working Group, (IOWG), which possesses digital video footage, broadcast quality audio and still photographs of the following subject matter: the Shell oil spill in Ogbodo,

the impact of petroleum transnational corporations in Nigeria's oil belt, the father and mother of Ken Saro-Wiwa, and testimonies from villagers and from resources people working with human rights and ecology non-governmental organizations in the Niger Delta. The documentation was gathered jointly with Environmental Rights Action/Friends of the Earth Nigeria and with Niger Delta Women for Justice, who, along with the IOWG, are the custodians of these valuable chronicles of corporate crime and popular struggle. The International Oil Working Group is committed to making this media coverage available to people acting in solidarity with the communities which are standing up to corporate destruction, by (a) direct loan and (b) posting to Indymedia web sites.

For additional information and analysis please consult the following documents or contact the web sites and lists:

Video: Delta Force

Information about this video may be obtained by writing to info@mosopcanada.org

Environmental Rights Action and Friends of the Earth
<http://www.essentialaction.org/shell/era/eraPrinciples.html>

Niger Delta Women for Justice
<http://www.kabissa.org/ndwj/>

Inter-Church Coalition on Africa
<http://www.web.net/~iccaf/genderinfo/gender.htm>

Drillbits & Tailings, the world's first progressive petroleum newsletter, delivered via the Internet: Drillbits@moles.org

Below please find a shortened version of the article above. This short version has some new information in it.

Shell's Ecocide in Nigeria (for publication in *COMER, Journal of the Committee on Monetary and Economic Reform*, vol. 13, no. 12, December 2001)

On June 24th in Ogbodo, Nigeria, a Shell Oil pipeline burst resulting in a massive 18 day petroleum spill. The dangers to human life, human rights and the environment were dramatically experienced by the community in Nigeria's "Shell-shocked" oil-belt.

Under the rubric of 'free-trade' Shell and other oil companies are being given carte blanche to expand petroleum operations in Nigeria with ever-decreasing provisions for ecological and social accountability. For example, Nigeria and the World Bank in 2001 agreed to a US\$ 15 million petroleum infrastructure loan which excludes environmental and social impact assessments normally required by the World Bank (<http://www.seen.org>).

Shell drew up a draft 'Memorandum of Understanding' between itself and the Ogbodo chiefs in an attempt to conflate two distinct stages of an adequate response to petroleum spills:

- a) Emergency life support to the victims, including medical treatment and evacuation with prompt halting of the flow of crude from the broken pipeline.
- b) Longer-term reclamation of the environment and compensation for all impacts and costs, including elimination of a whole riverine fishing and agricultural way of life.

Shell was making life-support dependent on the chiefs signing a long-term compensation treatment. Chiefs identified this unprincipled attempt as yet another instance of Shell's environmental racism. Shell total offer of US \$100,000 compensation is absurdly inadequate, even for a single person from the 150,000 strong community. Nevertheless, the Nigerian government endorsed Shell's proposed 'settlement.'

The chiefs' countered by demanding copies of the full agreements with the last five communities into which Shell had spilled crude which are located in Western Europe and North America. The chiefs intended to seek comparable long-term reparations.

Members of the Niger Delta Women for Justice (<http://www.kabissa.org/ndwj/>) seek global solidarity in instituting a renewed international boycott of Shell. Non-governmental organizations along with the International Oil Working Group are citing the human rights violations committed by Shell and other petroleum transnationals in all available fora, with a view to organizing coordinated initiatives in several countries to resist the lift-threatening corporate-rule regime.

In July 2001 I spent ten days in oil-impacted communities in Nigeria, as guest of the Niger Delta Women for Justice and Environmental Rights Action (<http://www.essentialaction.org/shell/era/eraPrinciples.html>). Though the whole population is

affected, it is especially women whose rights have been violated by Shell's ecocide. They are the mainstay of the economy in the rain forest and riverine ecology of Ogbodo. It is women who gather seafood from the wetland and mangrove swamps. It is women who make palm oil in hundreds of small factory operations. It is women who grow vegetables and gather medicinal herbs from the forests. It is women's power that has been undermined by the sudden destruction of Ogbodo's economy. Shell, the world's second largest oil corporation, has eliminated overnight the ecological foundation from which these self-confident peasant-fishing people had, for centuries, derived significant wealth and cultural resilience.

As women and men in Ogbodo struggle to survive on a day-to-day basis without drinking water in the midst of petroleum fumes, the web of resistance is woven yet again. A long history of autonomous struggle is there as a grounding. Shell, other oil companies and the Nigerian state have visited upon oil-traumatized communities the most terrible retribution for imagined and actual resistance to oil company destruction. Immediately upon hearing reports that the Shell pipeline carrying oil through Ogbodo had burst, Shell made the unfounded charge that the villagers had cut the line (which was buried six feet deep and split from its underside). Shell further charged that villagers prevented Shell personnel from entering the community. Villagers refuted these charges, but expressed fear that these false allegations were a prelude to military attack and massacre. For that has been the characteristic pattern of response by oil companies and the government to crisis in the Niger Delta.

The morning after the pipeline burst, community members informed Shell in Port Harcourt. Shell workers were on strike. Days passed as the oil flowed into rivers around Ogbodo. Finally Shell sent in a spill-response contractor who set fire to the oil in a fruitless effort to stop it from spreading to other villages. Community members fled in terror. It took the combined efforts of Shell, Agip and the U.S. oilfield contractor, Wilbros, to put out the fire. Boats, canoes, fishing nets and baskets for soaking of cassava were all burnt. On 31 October a team from the Port Harcourt-based Rural Health Initiative (RHI) took testimony from a local farmer, Maxwell Nsirim, who said that "Major spillage occurred here. Imagine fire burning in the water more than 300 m. into the surrounding bush. ... The flame was up to that of a palm tree. No aquatic life is existing in the water. Crops were burnt to ashes. The benefits from water are gone and that of land are also gone. I am suffering from intestinal infections. Children are sick, old women are dying. ... No water to cook. How do they want us to survive? Do we all have to die?"

Eventually Shell deposited ten 500-litre water plastic tanks in Ogbodo. This was drastically inadequate for the 150,000 people all of whom had depended on creeks for water. The tanks were refilled every two or three days by Shell. The supplies of water were then withdrawn from the tanks by villagers in just a few hours. Shell's response left the community with almost no drinking water, and nothing for cooking, washing dishes, clothes or their bodies.

Some days after the spill Shell sent an old van with three community health workers to dispense first aid - mainly in the form of panadol and fansidar tablets. Villagers were acutely ill and complained to our media team that they were not being attended to. Since the spill occurred

ailments such as diarrhoea, rashes, skin diseases, respiratory problems, miscarriages, vomiting have been on the increase. Death of livestock including goats, sheep, rabbits and chickens have also occurred.

On July 14 the chiefs refused to receive a few bags of relief food supplies until Shell had retracted its false accusation regarding alleged sabotage of the pipelines. The pipeline was old and deteriorated with rust, and past its lifetime of safe operation. It should have been replaced years ago.

On 31 October Ogbodo resident Lynda Wenah said of Shell Oil management that “They have caused more damage in our lives. We have lost 3 people.... They feel we are so many and so some of us should die away. ... We can’t cook without water. It was because the men asked us not to, [otherwise] we would have marched to Shell.” Community women and youths met the Rural Health Initiative team with placards some of which read: ‘Federal Government save our soul,’ ‘We are suffering,’ ‘No good water,’ and ‘We are refugees in our land.’ Mercy Okparanta stated that “The cassava and yam we planted are rotten in the ground because of oil.”

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Dr. Turner teaches sociology at the University of Guelph and co-directs the United Nations non-governmental organization, International Oil Working Group, (IOWG).

Resources: video: *Delta Force*

Okonta, I. & O. Douglas, *Where Vultures Feast*, New York: Random House and Sierra Club Books (www.Sierra.org/books), 2001 (ISBN: 1-57805-046-4).