

## **ENVIRONMENT VS. SHELL**

**THE ACCUSED: Royal Dutch Shell**

**THE CRIME: Continuing to colonize the world through ecocide**

**ACCOMPLICES: The Dutch government & Dutch people in allowing this.**

**DEPOSITION - 88351**

**OGONILAND, NIGERIA WITNESS**

My name is ██████████, I was born on the ██████████ in ██████████, Nigeria. I am the daughter of one of the Ogoni men shot during the protests for our rights.

Of course I shall give you a background of these protests. But first let me sketch out the money, as this seems to be at the heart of the problem. In 1996, 20% of all Shell's oil and natural gas reserve were in Nigeria. 20%. Shell made annual profits from oil production in Nigeria throughout the 1990s of 220 to 240 million US dollars. That is at least 220 million dollars a year for at least ten years that Shell was taking. So you can see why Ogoniland has been important to Shell ever since it discovered oil in 1958 in the traditional lands of the Ogoni people.

The demonstrations in Ogoniland in the 1990's were led by the Movement for the Survival of the Ogoni People, or MOSOP. The causes are many. I think the final straw were all the oil spills caused by Shell, which totally devastated the environment and for which no one, not Shell, not the Government, was taking responsibility. Imagine it, you look out at your farmland and you see oil floating atop it. You walk to your neighbour with oil covering your feet. You are thirsty, but you cannot drink because all the water has oil in it. But mainly I think the demonstrations started because of all the terror that the oil industry was causing the people in Ogoniland.

For instance in October, 1990 there were peaceful protests outside Shell's facility in Umeuchem village. You know unarmed protesters, singing songs, holding signs. And Shell requested 'security protection' against these protesters from the Nigerian Mobile Police! 80 people were shot dead and 595 houses burnt in order to offer Shell, this security protection against people who had nothing but their voices. Within this context, MOSOP declared at the start of 1993 that Shell was no longer welcome to operate in Ogoni land and a demonstration of 300,000 people confirmed that this was what the Ogoni people wanted. Now, picture this. The situation got so bad with Shell in Ogoniland that 300,000 out of a population of 500,000 peacefully took to the streets. None of the local people was profiting from the oil, in fact water and land was so badly polluted that people were sick and had no food. Anyway, Shell left Ogoniland. But not without asking the Nigerian government to send their army to protect the new pipeline which was being laid by contractors in Ogoniland.

Shell knew what they were doing as they had done it before and got the same result! Shell's request resulted in the shooting of 11 people in Biara village and of a man in Nonwa. One week later, Shell had a meeting with the Nigerian government and did not raise their concerns for the killing and wounding unarmed protesters, but lobbied the government instead for Nigerian security forces to allow them to continue to work in Ogoniland. And it was not just staff based in Nigeria who were taking these decisions. We have seen the evidence that Shell's headquarters in London, UK and The Hague, Netherlands were pulling the Nigerian strings. The memo in which Shell asks the Nigerian military for help in protecting their new precious pipeline that resulted in 11 dead, was shared with headoffice!

Then, just one month after MOSOP told Shell to leave Ogoni, Shell Nigeria executives flew to London to discuss it with their colleagues there. They put Ken SaroWiwa, one of MOSOP's leaders, on the blacklist and swore to keep each other informed and work together to, how shall we say..., 'nip this in the bud.' But how could they? He was not some unknown tribal leader, SaroWiwa was an internationally known writer! So they make a note of his name in headoffice and following a 1995 sham trial the nine leaders of the Ogoni MOSOP movement were hanged! Including Ken SaroWiwa! The leaders were accused of killing Ogoni chiefs, in Gioko, who were critical of SaroWiwa. But they were hanged in secret and their bodies dumped in unnamed graves. Why the secrecy, if you have the evidence?!

Shell knew the trial was a sham, but they did nothing. The MOSOP leaders were murdered and Shell couldn't even get their lie straight! First they said SaroWiwa was charged with encouraging murder, then that he was executed for murder, then that he incited the murder and never that the trial was blatantly unfair and there was no credible evidence. And they've kept the lie going for over 20 years! In a letter Shell wrote in 2017 in response to Amnesty International, when Amnesty inquired into the executions of the 9 MOSOP leaders, they literally said: " We are shocked and saddened when we heard the news of the executions. SPDS [Shell Nigeria] appealed to the Nigerian government to grant clemency. To our deep regret, that appeal, and the appeals made by many others within and outside Nigeria, went unheard. The allegations cited in your letter against RDS [Royal Dutch Shell] and SPDC [Shell Nigeria] are false and without merit. SPDC [Shell Nigeria] did not collude with the military authorities to suppress community unrest and in no way encouraged or advocates any act of violence in Nigeria... I am proud to say that Shell has a history of nearly 60 years in Nigeria and has played a pioneering role in onshore, shallow and deep-water oil and gas exploration and production." He is proud of Shell in Nigeria! And never a word on how even after the hangings of the MOSOP leaders, another 1000 people were killed in 1993 in military attacks to make sure 'business interests could not be molested.'

Anyway we know and we have always known that justice for the deaths of the MOSOP leaders were not going to be rewarded us by either Shell nor our government. So we launched a civil case against Shell in the US. We started this case in 1996 and had to wait 13 years, till 2009 for it to start. Then on the eve of the trial even starting Shell settled out of court with the plaintiffs. Shell paid them 15.5 million US dollars, but did not accept liability! Shell paid one-fifteenth of what they earned annually from the Nigerian soil to not accept liability for killing Nigerian people! I know that Esther Kiobel is continuing her fight for justice for herself and her dead husband Dr Barinem Kiobel now via the Dutch courts and I hope she will have it.

Apart of fearing that there will never be justice for the killings of the MOSOP and all the Ogoni people as well as the pollution of our lands, I fear for the current generation of peaceful activists. Godwin Ojo of Friends of the Earth Nigeria, was one of the people to publicly call attention in 2018 about the former Dutch ambassador ██████ taking Shell into protection against the courts. It took the Dutch government a year to finally 'relocate' Petri, and that whole period I was scared for Ojo and his family. It's been 20 years.

No-one has ever been brought to justice in Nigeria for the human rights violations committed in Ogoniland and no reparations have been awarded to the victims. If the Dutch government and the Dutch judicial system will not judge Shell, I hope the Dutch people will.

**END DEPOSITION**