Nigeria Villages Sue Shell over Spills

LAGOS, Nigeria (AP) — Thirty-five Nigerian villages are suing Royal Dutch Shell PLC in a British court, claiming that the company's slow response to two spills in 2008 left their delta region soaked in crude oil that destroyed the environment and their livelihoods.

Shell, long the dominant oil company in crude-rich Nigeria, on Friday quickly denied the lawsuit's allegations and said the spills represented only a fraction of the damage done in a community where thieves routinely tap into its pipelines without concern for the environment.

The lawsuit, which was publicized in the British media long before it was filed Friday, seeks unspecified damages and a legal order for Shell to clean the polluted waterways and marshlands of 35 villages around the town of Bodo in Nigeria's Niger Delta. There, the suit alleges Shell allowed 560,000 barrels of oil — or 88.9 million liters (23.5 million gallons) — to spill over weeks before finally stopping the flow from its malfunctioning pipelines.

The spills, estimated by experts from video footage of the damage at the time, came before any other spills or damage occurred in the communities, said lawyer Martyn Day, a senior partner of Leigh Day & Co., which is representing the villages.

Lawyers for the communities filed the suit in London, where the transnational corporation has one of its head offices, out of concerns of not being able to get a fair trial in Nigeria. Shell agreed to the jurisdiction of the suit.

The villages are part of a region of Nigeria's Niger Delta known as Ogoniland. Crude production in Ogoniland stopped in 1993, but pipelines and flow stations operated by a Shell subsidiary and the state-run Nigerian National Petroleum Corp. still run through villages and fields.

Villages and communities remain largely hostile to Shell and other oil firms because of environmental damage and the execution of Ogoni activist Ken Saro-Wiwa by Nigeria's former military regime in 1995. However, Day said the communities would have welcomed Shell's help during the 2008 spills.

"The communities were absolutely desperate to bring Shell to get the leak capped," the lawyer told The Associated Press on Friday.

Shell, however, has said only 4,000 barrels of oil — or 635,000 liters (168,000 gallons) — spilled in the two leaks. The company now blames many of its spills on "bunkering" in the delta, where thieves drill or saw directly into pipelines to steal the crude oil inside. The stolen crude either gets shipped out in the country's thriving black market oil trade or is refined into crude diesel or kerosene in

makeshift refineries.

In a statement Friday, Shell blamed the threat of a lawsuit for "preventing us from gaining access to the area and cleaning up the pollution caused by others since 2009."

Compensation for the spills was "severely delayed because of internal rifts between members of the Bodo community and lawyers representing factions within the community," the statement quoted Mutiu Sunmonu, the managing director of Shell's Nigerian subsidiary, as saying.

The lawsuit comes amid new international attention to spills in Ogoniland and across the Niger Delta, a region where some environmentalists say much as 2.1 billion liters (550 million gallons) of oil have spilled during more than 50 years of production. That would be at a rate roughly comparable to one Exxon Valdez disaster per year.

Today, oil stains coastlines and brackish creeks in the delta. Large plumes of dark smoke also rise in the air from the makeshift refineries' massive blazes to cook stolen crude oil.

A report released in August by the United Nations' environmental program estimated it could take as many as 30 years to clean Ogoniland alone. The report suggested the Nigerian government and the oil industry set up an initial $1 billion trust fund for the cleanup — something that has yet to be done.

That report sparked a $1 billion lawsuit in U.S. federal court. The U.S. Supreme Court currently is considering another lawsuit by 12 Nigerians against Shell claiming that the company aided a brutal government crackdown in the Niger Delta in the 1990s.

The U.K. court will use Nigerian law to rule on the lawsuit filed Friday, barring any pretrial settlement.

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