

Shell Oil pays \$19.5m to avoid facing criminal proceedings

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Oil company Shell has agreed to pay \$19.5 million to avoid standing trial over accusations that it was complicit in human rights abuses in Nigeria in the 1990s. The families of nine people executed in 1995 accused Shell of collaborating with the country's military regime to silence the activists for protesting against the oil company's environmental practices in the Niger Delta.



Royal Dutch Shell

In 1990, the prominent Nigerian writer Ken Saro-Wiwa and other activists formed the activist group, aimed at exposing what they said was the environmental damage Shell was causing in the Niger Delta.

They were also protesting against alleged abuses against the Ogoni people who lived in the area.

Shell has always strenuously denied the allegations and says it agreed to settle the lawsuit in the hopes of aiding the process of reconciliation in Nigeria.

Crammed in detention

In 1995, after four years of protests, Nigeria's military regime rounded up many of the activists and detained them for months.

Ledum Mittee remembers being held in the storeroom of a military camp, crammed in with so many others that they only had space to squat.

"We knew they were targeting us because of our campaigns and they would want to subject us to some form of torture to intimidate us, but fortunately the system was fairer than it actually proved to be," he said.

The charges against Mr Mittee were finally dropped but nine other activists, including Saro-Wiwa, were hanged, accused of ordering the murder of four local leaders.

Mr Mittee says the news was devastating.

"It was clear to all of us and to everybody that we were being targeted because of our position to Shell," he said.

Dirty dealings?

The families of the executed activists claimed that Shell colluded with the Nigerian authorities to punish them.

The oil company was also accused of paying soldiers who carried out human rights abuses.

After 13 years of legal wrangling the case had been due to go to trial in New York next week.

But in a last minute deal, Shell agreed to pay \$19.5 million in an out-of-court settlement.

Shell says the payout is not an admission of guilt and continues to deny any wrongdoing.

Part of the money will go to the activists families and to pay legal costs. Some will also be used to set up a trust to benefit the Ogoni tribe.

One of the plaintiff's lawyers, Judith Chomsky, has acknowledged \$19.5 million is not a massive sum of money for such a huge oil company.

"It is a drop in the ocean of Shell's wealth," she said.

"But I do believe that the accumulation of claims against them that are successful, that are presented to the public, will weigh on them in terms of requiring them to think about what they are doing and how it will be perceived."

Accountability

Ken Saro-Wiwa's son says the plaintiffs feel victorious because they believe they have achieved a precedent that a multinational corporation can be sued for human rights violations in a US court.

Human rights lawyers say that means international businesses will become more accountable for their environmental and social actions.

Shell says that it tried to plead with the Nigerian regime to grant clemency to the prisoners in the 1990s but that the appeal went unheard.

The oil company says it agreed to the settlement today to promote reconciliation in Nigeria and to acknowledge that people had suffered.

Mr Mittee now leads the group formed by Ken Saro-Wiwa.

He says he still hopes the regions resources will be developed by an oil company to help the Ogoni people prosper.

"Certainly there can no longer business as usual, but that is not necessarily the end of business," he said.

"Business will now know they have to operate according to some ethical standards where they must

also respect rights and lives of people.

"Once that happens, there is no reason why business cannot survive in this environment and even have people as credible partners."

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