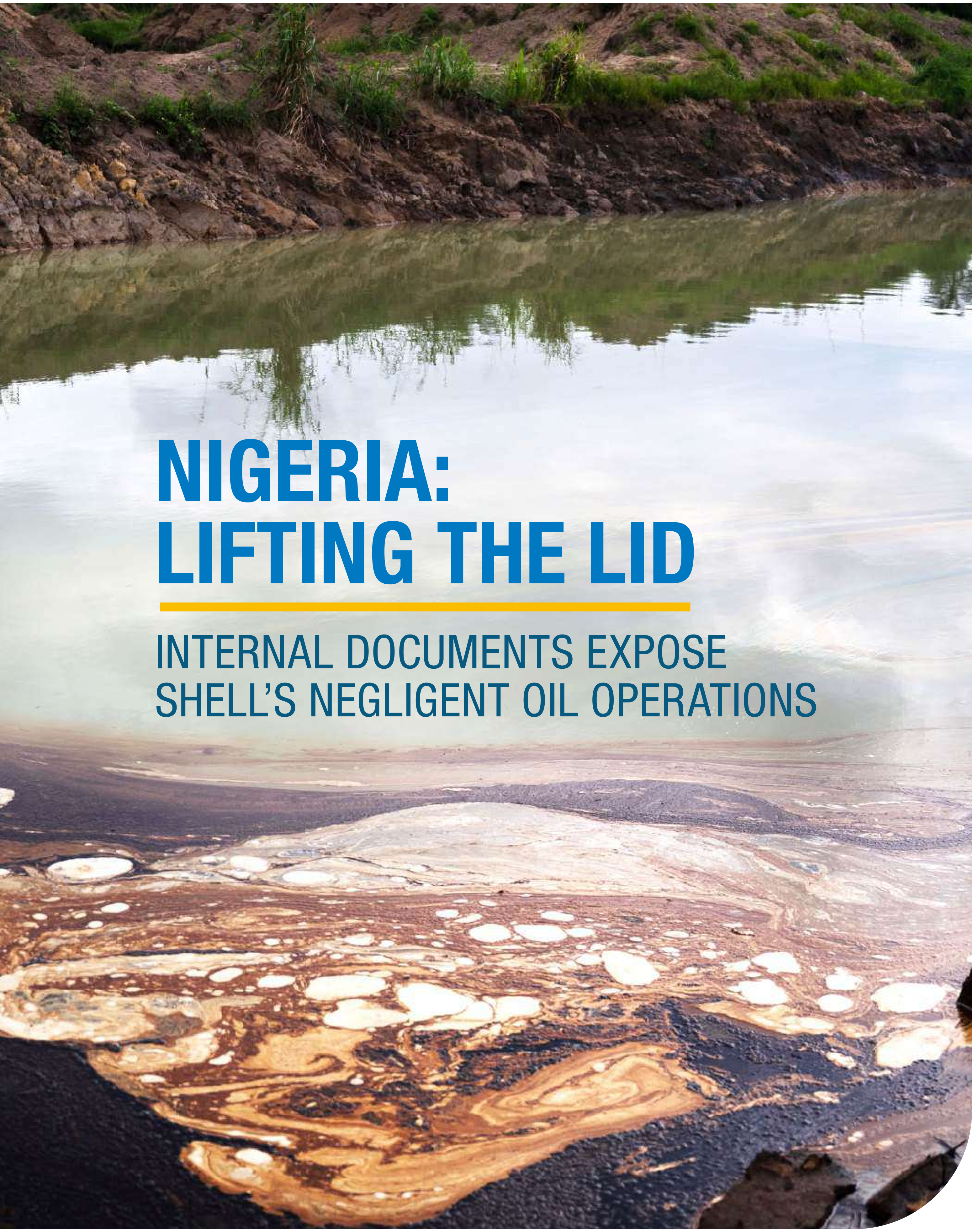

NIGERIA: LIFTING THE LID

INTERNAL DOCUMENTS EXPOSE SHELL'S NEGLIGENT OIL OPERATIONS

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Cover image: Oil contaminating water in the Niger Delta, October 2024. © Sanne de Wilde

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1. INTRODUCTION

> "Surely, with greater exposure to the issue, a good proportion of people are going to say 'What is Shell doing? With its technology & resources (e.g. ability to detect pressure drops & helicopter over-flights), it took the decision to keep pumping oil knowing about the leaks, environmental impact and international theft. It had an alternate course of action to stop pumping which it did not elect. Now it has created a monster, it comes crying to me."
>
> Email dated 28 May 2013 from Shell's Vice-President Business Development to its Vice-President Nigeria & Gabon

A cache of internal documents recently disclosed in legal proceedings in the UK against fossil fuel major Shell Plc have lifted the lid on its negligent and polluting operations in the Niger Delta.[1]

Most of the documents – which include email exchanges between senior executives and confidential audits – have not been previously reported on.[2] Most were released after a group of campaigning groups applied for their publication on public interest grounds. Other Shell documents were cited in legal documents, in a case brought by two Nigerian communities against Shell in the UK.[3] The two communities, Bille and Ogale, claim that Shell failed to prevent and then remediate devastating oil pollution over many years.[4]

The documents' content vindicates the long-standing complaints of people living in the Niger Delta, as well as the research findings of human rights and environmental justice groups, including those publishing this report, that a significant cause of the pollution lies in Shell's failure to properly maintain the vast network of wells and pipelines operated by what was then its Nigerian subsidiary Shell Petroleum Development Company (SPDC).

This report is published by organisations based in the Niger Delta, as well as international organisations (see Annex). Together, we have campaigned for years for justice for the people of the region. We have also closely scrutinised the operations of the oil industry, including

Warning signs for oil and gas pipelines close to the town of Bille, Nigeria in June 2026 © Amnesty International

Shell's failures to maintain its infrastructure in line with international standards, prevent spills, adequately clean up and remediate pollution, and disclose information on the condition of its infrastructure and the impact of the operations on people and the environment. We have also raised concerns about the deal through which Shell sell SPDC in 2025.

The company has always contested the arguments levelled against it, including in court, claiming that it managed its infrastructure to international standards and that most oil spills were caused by thieves tapping its pipelines and wells.[5] It has also always insisted that Shell's parent company did not control or manage its Nigerian subsidiary's operations.

1 *Alame & Ors v Shell plc & Anor* [2024] EWCA Civ 1500, See: HEDA Resource Centre (HEDA), "Shell documents, https://hedang.org/shell-documents/

2 Several news outlets have reported on the documents, including: BBC News, "Shell pumped oil through Nigeria pipeline for years despite pollution evidence, documents show", 3 June 2026, https://www.bbc.com/news/articles/cdrp8v7407ro; Financial Times, Shell alleged to have misled UK courts in Nigeria pollution case", 3 July 2026, https://www.ft.com/content/088774f0-8b93-4dd2-99c0-c6b095c52e24?syn-25a6b1a6=1

3 The groups are Hawkmoth, Heda Resource Centre and Oil Change International UK

4 The case is commonly referred to as "The Bille and Ogale Group Litigation." Leigh Day, Shell – Ogale and Bille, https://www.leighday.co.uk/news/cases-and-testimonials/cases/shell-ogale-and-bille/ (accessed on 3 July 2026).

5 Shell, Why is Shell involved in an English court case over Nigerian oil spill claims?, https://www.shell.com/news-and-insights/shells-perspectives-on-key-topics/why-is-shell-involved-in-an-english-court-case-over-nigerian-oil-spill-claims.html (accessed on 3 July 2026).

But as detailed in this report, the new evidence demonstrates that:[6]

- Even as Shell was blaming illegal tapping of its pipelines by criminal gangs for the bulk of pollution incidents, senior staff permitted tampering to continue – leading the Nigerian army force to accuse the company of "*complicity*" in the oil thefts. As a result, communities were exposed to unacceptable pollution.
- Instead of repairing tapped pipelines, as required under Shell's internal rules, executives allowed taps to be left in place to minimise oil flow disruption – despite being told that this would result in environmental damage. An internal presentation from 2013 was explicit: *"are we comfortable to continue producing, KNOWING that further environmental damage WILL occur?"* (capitals as per the original).
- The documents confirm that some of Shell's pipelines were old and not being maintained in line with Shell guidelines. One stated that, "*SPDC flowlines are…supposed to be replaced with a fixed frequency (every 15 years). This process of replacement is however not being followed and only breakdown maintenance is applied."*
- The company had apparently even lost track of data relating to the location and condition of hundreds of its oil wells. SPDC subsequently launched a "*well hunt campaign*" in 2014 to identify them all.
- Shell failed to take adequate measures to protect pipelines against oil theft. A 2011 review found SPDC's security operations to be "*seriously flawed*".
- Shell executives assumed its staff and contractors were likely involved in oil theft – which is known in Nigeria as "bunkering". One warned, "*we have to work on the assumption that the bunkerers get good access to SPDC planning data*."
- Shell's assertion that third-party oil theft accounted for most pollution was undermined by the admission that Shell staff were ill-equipped to accurately identify the cause of a spill.
- Shell executives knew its rules were being broken by staff. One Shell manager emailed in 2012, after visiting Nigeria that: "*there is collusion, nepotism and corruption running through the veins of [SPDC]……..the fact is no one bats an eyelid here. Shell's Code of Conduct is an inconvenience here: it's completely ignored*."
- While the meaning of "other solutions" is opaque, another email records a senior Shell executive acknowledging that the company's response to leaks in Nigeria would not be tolerated elsewhere: "*If we had an oil leak onshore in other countries I suggest we might (have to) find other solutions*".
- Shell executives discussed selling its polluting business in Nigeria during this period, more than ten years ahead of the eventual sale of SPDC in 2025. The documents reveal that the decision was influenced by the desire to avoid decommissioning and clean up costs. For example, one internal presentation identified 375km^2 of pollution affected mangrove forest, and questioned: "*Do we have the appetite to take on this open-ended problem?*"
- Shell executives assessed that the likely costs of decommissioning were huge. A 2013 letter sent to then CEO of RDS recorded that *'it could take up to several decades to decommission all existing SPDC assets, and could amount to an estimated total asset retirement obligation of USD10.9bn 100% JV.'*"
- SPDC's parent company (Royal Dutch Shell [RDS] now Shell plc) was directly involved in the decision-making around SPDC's operations – contrary to claims by Shell that SPDC acted autonomously.

6 All document references are footnoted later in the body of the report.

The evidence makes clear that the time for action is now. It points to serious and long-standing failures by Shell and the Nigerian authorities, while highlighting the chronic lack of transparency that has characterized oil operations in the Niger Delta.

Taken together, these documents paint a picture of a company milking the Niger Delta for profit at the expense of people living in the region, and breaking assurances to shareholders and the public that respect for human rights and the environment was "embedded" throughout its operations.

The evidence makes clear that the time for action is now. It points to serious and long-standing failures by Shell and the Nigerian authorities, while highlighting the chronic lack of transparency that has characterized oil operations in the Niger Delta. We call on Nigeria, Shell, and Shell's home states, the United Kingdom and the Netherlands, to take urgent steps to ensure accountability, investigate all wrongdoing, disclose critical information, fund and implement a comprehensive clean-up of polluted areas, strengthen corporate human rights oversight, and guarantee justice and reparations for affected communities. Communities in the Niger Delta have borne the costs of pollution for decades; those responsible must no longer evade scrutiny or accountability.

Ahead of the publication of this report, Amnesty International wrote to Shell and Renaissance Africa Energy Ltd (Renaissance), the company that it sold its onshore business to in 2025, to share Amnesty's findings related to the disclosed documents. In response to Amnesty's report, Shell responded that: *"It is clear from your letter that you have selectively referred to and quoted from documents in a way that creates a misleading impression. For instance, what you have presented does not reflect the challenging operating environment in the Niger Delta at the time, including large-scale oil theft, sabotage and illegal refining carried out by organised criminal gangs. Nor do you properly reflect that Shell's former Nigerian subsidiary worked with Nigerian authorities, its government-owned partner and local communities to respond to these challenges, including cleaning up spills from joint venture facilities regardless of cause, as required by Nigerian law."* Shell's full response is included in Annex 1. Renaissance did not respond to Amnesty International.

Fire ignites at a drinking water pump in Bille, Rivers State, Nigeria, caused by methane gas leaking into the water supply. Taken in January 2026. © Leigh Day

2. BACKGROUND

2.1 The human rights impact of fossil fuel extraction in the Niger Delta

A vast network of pipes connecting numerous oil and methane gas fields criss-crosses the Niger Delta. Many run close to people's homes, farmland and through swamps and waterways where people fish and near sources of drinking water.

Hundreds of oil spills take place in the region every year.[7] Spills have had a variety of causes. Many have been caused by operational faults and corrosion of facilities, caused by poor maintenance, according to data compiled by Shell and other oil companies operating in the region, as well as the government regulator.[8]

Others have been caused by third-party tampering, including by people who tap the pipelines to steal oil. They pipe this to artisanal refineries, which turn the crude oil into refined products such as petrol and diesel for sale in local markets. These refineries cause soil, water and air pollution.[9]

The existence of widespread environmental pollution in the Niger Delta linked to the fossil fuel industry has long been recognised. In its landmark 2011 report, *Environmental Assessment of Ogoniland*, the United Nations Environment Programme (UNEP) documented widespread oil contamination, including of ground water and drinking water sources.[10]

The impact of oil pollution is devastating. In 2019, an academic study found that oil spills occurring within 10km of a mother's place of residence in the Niger Delta doubled neonatal mortality rates and impaired the health of her surviving children.[11] A report by a panel of independent academics into the toxic footprint of oil contamination in the state of Bayelsa, concluded that toxins "have been absorbed into the human food chain. And they have ultimately found their way into the bloodstreams and tissue of people living in affected communities."[12]

The harm caused to people's health and livelihoods by the pollution and environmental degradation is multidimensional and mutually reinforcing, affecting numerous aspects of everyday life and resulting in the impairment of a broad spectrum of human rights. Some of these violations include:[13]

- The right to health – which arise from the failure to secure the underlying determinants of health, including a healthy environment, and the failure to enforce laws to protect the environment and prevent pollution.
- The right to an adequate standard of living, including the right to food – as a consequence of the impact of oil-related pollution and environmental damage on agricultural lands and fisheries.
- The right to water – which occur when oil spills pollute water used for drinking and other domestic purposes.
- The right to work and livelihood – affected where environmental damage undermines farming, fishing, and other economic activities on which communities depend.
- The right to life – where oil pollution creates serious risks to health and safety, contaminates essential resources, or contributes to conditions that threaten people's survival and well-being.

7 For example, data from Shell's own spill incident reports reveal that from 2011-18 the company reported 1,010 spills, along the network of pipelines and wells that it operates. Amnesty International, *Negligence in the Niger Delta: Decoding Shell and Eni's poor record on oil spills*, (Index: AFR 44/7902/2018), 16 March 2018, https://www.amnesty.org/en/wp-content/uploads/2021/05/AFR4479702018ENGLISH.pdf

8 See The Nigerian Oil Spill Monitor for collated data, https://oilspillmonitor.ng/

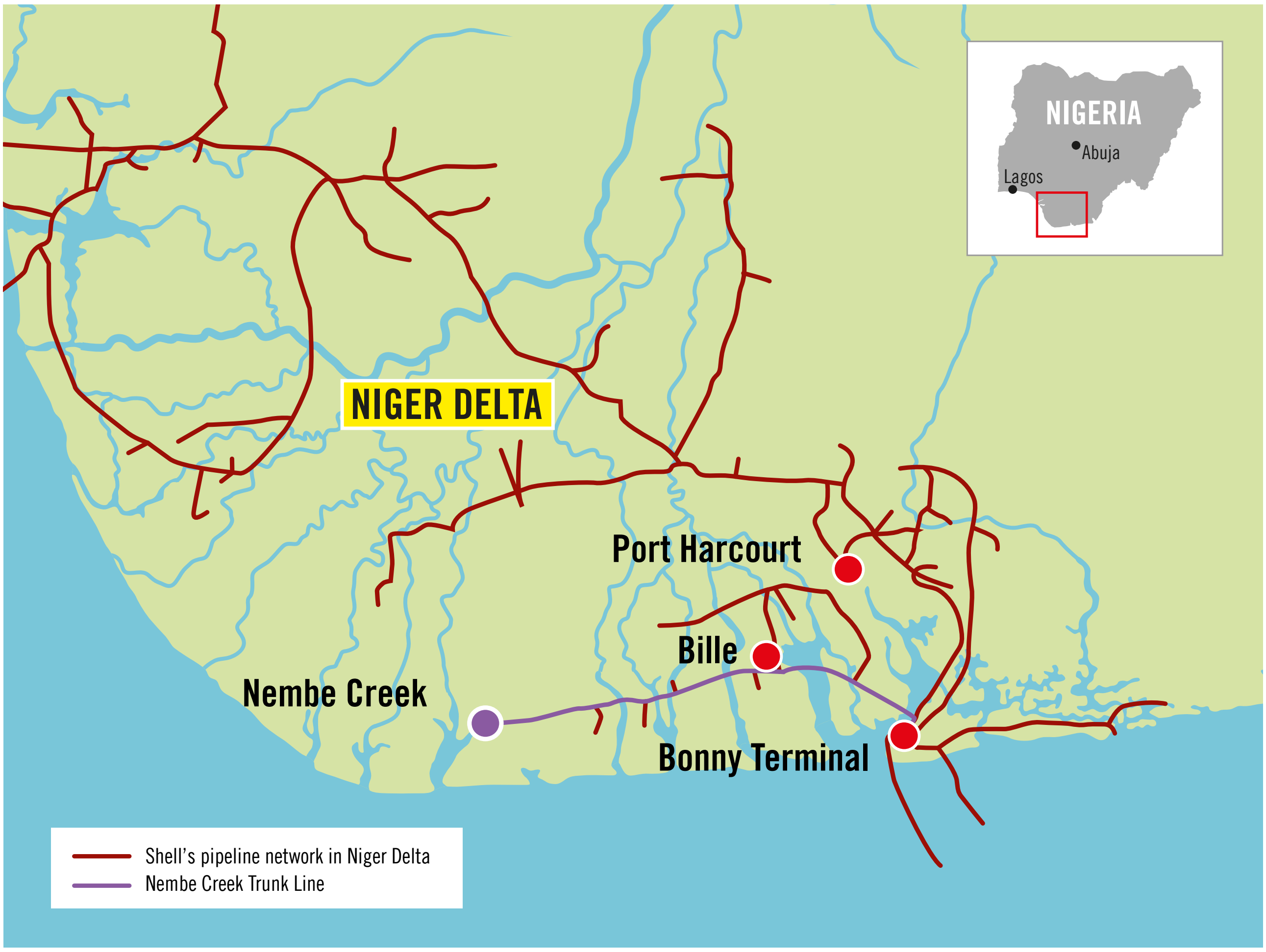
9 Stakeholder Democracy Network, *The artisanal oil industry: mapping integration and incentives in local economies*, https://sdn.ngo/projects/the-artisanal-oil-industry-mapping-integration-and-incentives-in-local-economies/ (accessed on 3 July 2026).

10 United Nations Environment Programme, *Environmental Assessment of Ogoniland*, 2011, https://postconflict.unep.ch/publications/OEA/UNEP_OEA.pdf (hereafter, UNEP, *Environmental Assessment*).

11 Bruederle, A. and Hodler, R., *The Effect of Oil Spills on Infant Mortality: Evidence from Nigeria.* CESifo Working Papers No. 6653, 2017, https://www.pnas.org/doi/abs/10.1073/pnas.1818303116

12 The Bayelsa State Oil and Environmental Commission, *An Environmental Genocide: Counting the Human and Environmental Cost of Oil in Bayelsa,* Nigeria, p80, https://www.bayelsacommission.org/

13 For a full discussion on the human rights impact of oil pollution in the Niger Delta, see Amnesty International, *Petroleum, Pollution and Poverty in the Niger Delta,* (Index: AFR 44/017/2009, https://www.amnesty.org/en/documents/AFR44/017/2009/en/



Map of Shell's pipeline network in the Niger Delta.

- The right to information, participation, and consultation – where affected communities are denied access to information about spills, environmental risks, clean-up efforts, or opportunities to participate in decision-making.
- The right to access to effective remedy for people whose human rights have been impaired.

These human rights abuses affect people differently, with disparate impacts on women and girls, children, older people, and other vulnerable groups.[14]

While this report focuses on the situation in Nigeria, it is important to note that the damage done to our climate system, human rights and critical ecosystem by the lifecycle of fossil fuel production and use is a global phenomenon.[15]

The right to a clean, healthy and sustainable environment

In 2022 the UN General Assembly recognized the human right to a clean, healthy and sustainable environment. Among other things, this recognised the importance of meaningful, informed, inclusive and equitable public participation in all environmental decision-making, with a particular emphasis on empowering directly affected and marginalized groups. It also required states to establish monitoring programmes, assess major sources of exposure and provide the public with accurate, accessible information about risks to human rights, human health and ecosystem integrity.[16]

14 Amnesty International, *Petroleum, Pollution and Poverty in the Niger Delta*, p73.

15 Amnesty International, *Fatal Fuels: Why human rights protection urgently requires a full and equitable fossil fuel phase out*, 13 November 2023, (Index: POL 30/7382/2023), https://www.amnesty.org/en/documents/pol30/7382/2023/en/

16 Boyd, D.R., *The Right to a Healthy Environment: A User's Guide*, 2024, https://www.ohchr.org/sites/default/files/documents/issues/environment/srenvironment/activities/2024-04-22-stm-earth-day-sr-env.pdf

This is pertinent to the situation in Nigeria, where the problems caused by pollution have been exacerbated by a lack of information for many decades. This includes information about the condition of oil industry infrastructure, the scale of oil pollution and its impact on the environment and health.

In 2025 the International Court of Justice recognized that the right to a healthy environment is "essential for the enjoyment of other human rights." The right to a "general satisfactory environment" is also enshrined in Article 24 of the African Charter on Human and Peoples' Rights.[17] The African Commission on Human and Peoples' Rights has stated that this "imposes clear obligations upon a government that require states to take reasonable and other measures to prevent pollution and ecological degradation, to promote conservation, and to secure an ecologically sustainable development and use of natural resources."[18]

2.2. SHELL'S ONSHORE OPERATIONS IN NIGERIA

For years, the fossil fuel industry in the Niger Delta was run through joint ventures (JVs) between the Nigerian government and international oil companies (IOCs). Historically, Nigeria's largest oil producing JV was the Shell Petroleum Development Company of Nigeria Limited- Joint Venture (SPDC JV). Its main shareholder was the state-owned Nigerian National Petroleum Corporation, which owned 55%.[19] The rest was owned by subsidiaries of international companies: Shell (previously headquartered in the Netherlands as Royal Dutch Shell and since 2022 headquartered in the UK as Shell Plc) owned 30% through its wholly-owned subsidiary which was also called the Shell Petroleum Development Company of Nigeria Limited (SPDC).[20]

These human rights abuses affect people differently, with disparate impacts on women and girls, children, older people, and other vulnerable groups.

As well as owning 30% of the JV, Shell's subsidiary, SPDC, was also its operator. This meant that it constructed and maintained the facilities and infrastructure needed to produce and transport oil and gas on behalf of the JV. At its peak in the 1990s, Shell operated more than 1,000 producing wells in 90 oil fields covering an area of 31,000 km^2 of Niger Delta, and provided Nigeria with half of its foreign earnings.[21]

In 2025, Shell and most of the other companies operating JVs in Nigeria completed the sale of their onshore businesses in the Niger Delta to a number of much smaller and mainly Nigerian companies.[22] The process of divestment had begun more than a decade earlier.[23]

Like all companies, Shell has a responsibility to ensure that it does not cause or contribute to human rights abuses, regardless of where it operates.[24]

Shell's own commitments to respecting laws, human rights and environmental standards are reflected in its policies, code of conduct and General Business Principles.[25] These specify five "areas of responsibility" for all staff to comply with, including: *"to support fundamental human rights in line with the legitimate role of business, and to give proper regard to health, safety, security and the environment."*[26]

17 African Union, *African Charter on Human and People's Rights*, 1 June 1981, https://au.int/en/treaties/african-charter-human-and-peoples-rights

18 African Commission on Human and Peoples' Rights, The Social and Economic Rights Action Center for Economic and Social Rights v. Nigeria, Comm. No. 155/96, 2001, http://hrlibrary.umn.edu/africa/comcases/155-96b.html

19 Shell plc, "Shell completes sale of SPDC to focus its portfolio in Nigeria on Deepwater and Integrated Gas positions", 13 March 2025, https://www.shell.com/news-and-insights/newsroom/news-and-media-releases/2025/shell-completes-sale-of-spdc.html

20 TotalEnergies SE (headquartered in France) owned 10%, and Eni S.p.A. (headquartered in Italy) owned 5%.

21 SPDC, *Ogoni and the Niger Delta*, 1996.

22 SOMO, *Shell's reckless divestment from Niger Delta*, 27 February 2024, https://www.somo.nl/shells-reckless-divestment-from-niger-delta/

23 The IOCs, including Shell, continue to do business in Nigeria, primarily through offshore (as opposed to onshore) oil and gas operations.

24 This was articulated in The UN Guiding Principles on Business and Human Rights (2011), a globally-endorsed standard of expected business conduct. Office of the High Commissioner for Human Rights (OHCHR), UN Guiding Principles on Business and Human Rights, 2011, https://www.ohchr.org/en/publications/reference-publications/guiding-principles-business-and-human-rights

25 Shell Plc, Commitments, policies and standards, https://www.shell.com/sustainability/our-approach/commitments-policies-and-standards.html (accessed 5 May 2023)

26 Shell Plc, "Our Values", https://www.shell.com/about-us/our-values.html (accessed 5 May 2023)

Map showing the communities of Bille and Ogale in Rivers State, Nigeria.

Shell has persistently denied that it has acted irresponsibly in Nigeria and claims that it complied with all laws and regulations, including those covering pipeline maintenance and spill clean-up and remediation.

2.3 LAWS AND REGULATIONS

Under international law, the government of Nigeria has an obligation to respect, protect and fulfil human rights.[27] The duty to protect human rights against abuses or harm by business requires that the state take all necessary measures to prevent such abuses. In the context of the oil industry, effective prevention involves establishing an appropriate regulatory system based on international best practice and the effective enforcement of regulations.

Nigerian law does indeed establish the rules that oil companies need to follow to both prevent and then remediate the harm caused by spills. Nigerian law also requires them to ensure "good oil field practice" and to comply with internationally recognized standards.[28] These include guidelines to protect operations from the risk of vandalism and theft. Nigerian law also makes it clear that regardless of the cause, the oil companies are responsible for the containment, clean-up and remediation of all oil spills along their pipelines and other infrastructure.[29]

However, the failure of Nigeria to effectively enforce these regulations and monitor the operations of the oil companies over many decades has been well documented.[30]

27 Amnesty International, *Petroleum, Pollution and Poverty in the Niger Delta* (previously cited)

28 UN Environment Programme, Mineral Oils (Safety) Regulations 1962, Regulation 7. 11 April 1987, https://leap.unep.org/en/countries/ng/national-legislation/mineral-oils-safety-regulations

29 Department of Petroleum Resources, *Environmental Guidelines and Standards for the Petroleum Industry in Nigeria* (EGASPIN), revised edition 2002, p148, para.2.6.3.

30 See for example, Amnesty International, *Petroleum, Pollution and Poverty in the Niger Delta* (previously cited)

Landing stage for boat arrivals to Bille Kingdom, Nigeria. Photographed in June 2026. © Amnesty International

In a landmark decision in 2002, the African Commission found Nigeria to be in violation of a number of rights guaranteed under the African Charter, and stated that: “the Nigerian Government has given the green light to private actors, and the oil companies in particular, to devastatingly affect the well-being” of people in the Niger Delta.”[31]

In 2012, the Economic Community of West African States Court of Justice also found that Nigeria had violated the African Charter by failing to protect the Niger Delta and its people from the operations of oil companies that have for many years devastated the region.[32]

2.4 THE DOCUMENTS

In 2015, the Ogale and Bille communities started legal actions in the High Court of England and Wales against both RDS (now Shell plc) and SPDC, alleging serious environmental damage stemming from oil pollution.[33] Ogale is a fishing and farming community close to the city of Port Harcourt in the Ogoniland region of the delta. Bille is a riverine community, consisting of 45 islands. They are both in Rivers State.[34]

After years of hearings over procedural issues, as Shell’s legal position sought to avoid any discussion of the merits of the case, the first case to go to trial (with hearings due to be held in March 2027) relates to the claims of Bille.

Ahead of this, Shell was required to disclose relevant documents to the community’s lawyers. These cover the period 2008-2014. The contents of many of these documents were included in witness statements by the lawyers lodged with the court in November 2025. After a letter to the court was written by several NGOs seeking disclosure of the documents, redacted versions of 27 documents were subsequently released in April 2026. This is only a small fraction of the total number of documents released by Shell to the community’s lawyers. While the court did not release all of the documents disclosed in the litigation some details of them were revealed in a new filing by the claimants in May 2026.

Key information from the 27 documents that were made public, as well as other court filings, are set out below. Our analysis also draws from previous research into the company’s operations conducted by our organizations as well as a comparison with contemporaneous Shell statements. Shell’s response is reproduced in full at Annex 1.

31 African Commission on Human and Peoples’ Rights, Decision on communication of The Social and Economic Rights Action Center and the Center for Economic and Social Rights/Nigeria (155/96), decision made at the 30th ordinary session of the African Commission of Human and Peoples’ Rights, Banjul, 13-27 October 2001, http://www1.umn.edu/humanrts/africa/comcases/155 96b.html.

32 Amnesty International, “Ground-breaking ECOWAS Court judgment orders government to punish oil companies over pollution”, 16 December 2012, https://www.amnesty.org/en/latest/press-release/2012/12/ground-breaking-ecowas-court-judgment-orders-government-punish-oil-companie/

33 Leigh Day, “High Court trial finds Shell plc and its former Nigerian subsidiary can be held legally responsible for legacy oil pollution in Nigeria”, 20 June 2025, https://www.leighday.co.uk/news/press-releases/2025-news/high-court-trial-finds-shell-plc-and-its-former-nigerian-subsidiary-can-be-held-legally-responsible-for-legacy-oil-pollution-in-nigeria/

34 Leigh Day, Shell - Ogale and Bille, https://www.leighday.co.uk/news/cases-and-testimonials/cases/shell-ogale-and-bille/ (accessed on 5 July 2026)

3. PERMITTING OIL THEFT TO BOOST PROFITS
- AT THE EXPENSE OF PEOPLE AND THE ENVIRONMENT

Shell has long insisted that the bulk of its pollution in the Niger Delta results from organised criminal gangs illegally tapping its pipelines and stealing the oil – a practice known as "bunkering".[35] While such gangs are indeed a problem, the documents presented in the following sections show that in the period that they cover, Shell decided against shutting down pipelines in order to remove oil theft taps except where they were actively leaking. Closing the lines would have prevented more oil theft and even more pollution, but would have dented Shell's profits.

Indeed, as one senior Shell manager wrote to his colleagues in 2013, such an approach even prompted the Nigerian security force responsible for pipeline security to claim that Shell was being "complicit" in the thefts "because we are not removing the bunkering points."[36] As a result, communities were exposed to unacceptable pollution.

3.1 SHELL EXEMPTED SPDC FROM ITS GLOBAL STANDARDS – SO THAT OIL COULD CONTINUE FLOWING DOWN TAMPERED PIPELINES

The documents showed that at least on two separate occasions, Shell executives exempted Shell's onshore Nigerian operations from key elements of the company's global health and safety standards so that the oil could flow unimpeded down tampered pipelines.

In 2009, for example, Shell's Design and Engineering Practice policy for pipeline repairs was revised specifically for SPDC's operations.[37] The revisions not only allowed temporary clamps to be used as permanent repairs to leaking pipelines but also allowed the continued operation of the pipelines where illegal taps were not actively leaking.

In 2012, RDS went further and exempted SPDC from the requirements of Shell's Health, Safety, Security and Environment (HSSE) standards and practices.[38] In its application for the exemption, Shell managers acknowledged that Shell was operating pipelines deemed to require "immediate corrective action or shutting in of the line" as a result of numerous illegal connections. However, to remove all such connections (as required under the policy) would, among other considerations, "take considerable system downtime". Managers therefore requested an exemption from the standards requiring 'HSSE Critical Equipment' to be operated "*within its operating limits*".[39] This meant that the pipeline could be operated even though it was not deemed safe to do so under Shell's own global policies.

The exemption allowed SPDC to continue operating its pipelines and infrastructure (including the major Nembe Creek Trunk Line, the NCTL, which ran past Bille) whilst leaving in place taps and hoses that thieves had attached to the pipelines, allowing them to siphon off oil to nearby artisanal refining camps that were also causing pollution.

According to the documents, the exemption was approved by Shell executives in March 2013 until the end of 2014 and then extended until the end of 2016.[40]

The exemptions have only now become public – the application by SPDC for an exemption from Shell's global standards was marked "restricted". They undermine previous claims made by Shell to investors and the public that its 'HSSE & SP Control Framework' applied to every *"Shell entity and Shell-operated venture*", including pipelines, stating that the policy *"helps us operate responsibly and avoid or minimise potentially negative social impacts of our operations*".[41]

Indeed, in public documents from the time, Shell continued to insist that SPDC met the company's global standards. For example, in 2013, Shell insisted

35 Shell Plc, Why is Shell involved in an English court case over Nigerian oil spill claims? (previously cited)

36 Email from Markus Droll SEPA-UIO/G to Harry Brekelmans, Andrew Brown, cc Mutiu Sunmonu, 26 March 2013, doc 21 MPR-10 HB 895-896_Redacted_260421_133730. See: HEDA, "Shell Documents" (previously cited).

37 Pipeline Systems PIPELINE REPAIRS DEP 31.40.60.12-SPDC.SPDC-2009-03-00000759 April 2009, doc 9 MPR-10 HB 711 749_260421_131313; Renshaw, Tenth Witness Statement, para 85, citing D2_ 00068302 (HB711-749). See: HEDA, "Shell Documents" (previously cited).

38 Application Form exception to Group HSSE & SP Control Framework Requirement, 12 November 2012, Doc 16 MPR-10 HB 800-804_260421_132649

39 Renshaw, Tenth Witness Statement, para 75. See: HEDA, "Shell Documents" (previously cited).

40 16 MPR-10 HB 800-804_260421_132649; Renshaw, Tenth Witness Statement, para 76, citing D2_00097202 **(HB/854-855)** & D2_00097210 **(HB/1174).** See: HEDA, "Shell Documents" (previously cited).

41 Shell Plc, Annual Report, 2022, p.113. https://www.shell.com/investors/results-and-reporting/annual-report-archive/_jcr_content/root/main/section_812377294/tabs/tab_1219767661/text.multi.stream/1742905354181/24ff673614687df7a13f18ce0cbd126cd73bc788/shell-annual-report-2022.pdf

"are we comfortable to continue producing, KNOWING that further environmental damage WILL occur?"

Internal Shell presentation from March 2013

that SPDC "operates an Environmental Management Improvement Programme designed to ensure that equipment and infrastructure are kept in good condition. This programme conforms to global Shell Group standards and the International Standards Organisation (ISO) guidelines."[42]

The documents reveal that in fact at this time SPDC was exempted from key global standards.

3.2 SHELL CONTINUED TO USE PIPELINES WHEN THEY KNEW THIS WOULD CAUSE ENVIRONMENTAL DAMAGE

Several documents show that during the period that they cover, Shell managers recognised that continuing their production through pipelines with potentially hundreds of illegal taps and hoses attached to them was causing environmental damage.[43]

For example, an undated internal presentation cited by the plaintiffs' lawyers, explained that an "*Ever increasing number of [illegal connections had been] allowed to remain on the lines with increasing impact on crude theft volumes and the environment.*"[44]

In December 2012, staff accompanied Nigerian security personnel on a visit of four "crude oil theft points" on pipelines in the Bille area. A report on the visit noted the *"massive impact of oil theft activities."*[45]

The scale of the pollution was further observed during a flight over the area by SPDC's General Manager on 26 February 2013*.* In an email cited by the plaintiffs' lawyers, he reported to colleagues that:

> "we observed the situation from Krakama to Awoba to be extremely bad, with free phase oil covering many of the creeks […] Whilst I stop short of proposing that we shut down the NCTL, as I have no idea what the next step would be if we did; I also cannot recommend we continue unless we can make a dramatic improvement in the very short-term. Unfortunately, I am also not sure how we can do that."[46]

A further internal presentation from March 2013 asked: *"are we comfortable to continue producing, KNOWING that further environmental damage WILL occur?"* (capitals as per the original).[47]

This presentation was for senior staff who were members of a working group entitled "Project Madrid". This had the task of deciding how to respond to oil theft in Nigeria, including when or whether to shut down pipelines to allow for repairs and the removal of oil theft points. The presentation demonstrates that this working group discussed and was aware of the risks of not doing so. It identified that along the NCTL alone there were 100 illegal refineries, and that 9,000 hectares of land and 9,000 hectares of water had been impacted by pollution from them.[48]

42 Shell in Nigeria: Environmental Performance – oil spills, 2013, on file with Amnesty International.

43 Note to Executive Committee Royal Dutch Shell Plc Nigeria Strategy Review , 17 April 2013, 25 MPR-10 HB 900-911_260421_134309. See: HEDA, "Shell Documents" (previously cited).

44 Undated document, cited in Claimants Skeleton, para 2.8, citing HB/1206. See: HEDA, "Shell Documents" (previously cited)

45 Report of Site visit to C throne III and Krakrama Crude Oil theft point areas. 16 December 2012. Names of sender and recipient redacted, Doc 17 MPR-10 HB 829-830_Redacted_260421_133327; Renshaw, Tenth Witness Statement, para 77, citing D2_00084339 **(HB/829-830).** See: HEDA, "Shell Documents" (previously cited).

46 Undated document, cited in Skeleton argument, para 1.5, citing doc POC-B/136. See: HEDA, "Shell Documents" (previously cited).

47 Project Madrid Steering Group Update, 18 March 2013, Doc 23 MPR-10 HB 856-891_Redacted_260421_133829, pHB 860. See: HEDA, "Shell Documents" (previously cited).

48 Project Madrid Steering Group Update, 18 March 2013, Doc 23 MPR-10 HB 856-891_Redacted_260421_133829, pHB 882. See: HEDA, "Shell Documents" (previously cited).

Two months later, the company was still debating what to do. An email between senior managers dated 28 May 2013, cited by the plaintiffs' lawyers, records one stating that

> "Surely, with greater exposure to the issue, a good proportion of people are going to say 'What is Shell doing? With its technology & resources (e.g. ability to detect pressure drops & helicopter over-flights), it took the decision to keep pumping oil knowing about the leaks, environmental impact and international theft. It had an alternate course of action to stop pumping which it did not elect. Now it has created a monster, it comes crying to me."[49]

The disclosures appear to reveal that Shell decided to allow pipelines to continue operating with illegal connections in place, knowing that environmental damage was a likely outcome.

The approach also appears to run counter to public statements from the period. For example, Shell's Sustainability Report for 2011 said that, "*We develop and operate our projects and facilities with the aim of preventing incidents that may harm our employees and contractors or nearby communities, or cause environmental impact. If incidents do occur, we put well-prepared plans into action immediately to deal with them.*"[50] In 2013, Shell maintained that, "*Whether due to operational spills or by intentional 3rd party damage, such as sabotage/theft, SPDC is committed to stopping and containing all spills from SPDC's facilities, recovering as much oil as possible and cleaning up and restoring the spill sites in compliance with regulations expeditiously.*"[51]

3.3 PROFITS ABOVE SAFETY?

The "Project Madrid" presentation cited above shows that in March 2013, senior Shell parent company managers were debating options for how to respond to the crisis facing their Nigerian pipelines, including the NCTL.

"Option A" was the least intrusive approach. This involved temporarily shutting down pipelines over a matter of weeks for repairs. This approach would mean "tolerating" bunkering.

"Option B" would take months and involve repairing all known bunkering points.

"Option C" would take years, and require a "fundamental change" in approach, that would also address the root causes of oil theft.[52]

In an assessment of the "pros and cons" of each option, the document noted that the disadvantages of "Option A" were that it was the "*less principled stand and harder to defend in court of public opinion*" that that Shell would "*be seen as 'knowingly polluting*." The presentation identified that both of the first two options were not likely to succeed in reducing oil theft, but that "Option C" – the one requiring "fundamental change" - would take years and have a "*material impact on revenues*."[53]

The document went on to assess these financial consequences. It stated that shutting down the most important pipelines, carrying millions of barrels of oil a day, would mean "sacrificing" production and profits.[54] Shutting down the NCTL would cost $194 million if the pipeline was closed for a year; and $389 million if it the shutdown was extended for second year. For another one of its major pipelines, the Trans Niger Pipeline, the comparable figures were estimated to be $427 million and $853 million.[55]

49 Shell's Vice-President Business Development, to Vice-President Nigeria & Gabon, Skeleton argument, para 179, citing doc POC-B/1656. See: HEDA, "Shell Documents" (previously cited).

50 The reports for 2012 and 2013 contain similar statements. Royal Dutch Shell, Sustainability Report, 2011, p.6, https://www.shell.com/sustainability/reporting-centre/reporting-centre-archive/_jcr_content/root/main/section_2106585602/tabs/tab_1645439879_copy__1199560430/text_copy_copy_copy__1589128498/links/item0.stream/1742906449094/e18028a4c6f88c9f950d65a0f4964ac1dc3e3c41/shell-sustainability-report-2011.pdf

51 Shell in Nigeria: Environmental Performance – oil spills", 2013

52 Project Madrid Steering Group Update, 18 March 2013, Doc 23 MPR-10 HB 856-891_Redacted_260421_133829, HB 862. See: HEDA, "Shell Documents" (previously cited).

53 Project Madrid Steering Group Update, 18 March 2013, Doc 23 MPR-10 HB 856-891_Redacted_260421_133829, HB 870. See: HEDA, "Shell Documents" (previously cited).

54 23 MPR-10 HB 856-891_Redacted_260421_133829 HB/873. See: HEDA, "Shell Documents" (previously cited).

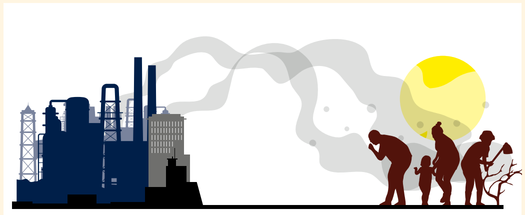
55 23 MPR-10 HB 856-891_Redacted_260421_133829 HB/888. See: HEDA, "Shell Documents" (previously cited).

These documents therefore appear to reveal that ***Shell opted to the least costly option, while recognizing that it would lead to greater environmental harm.***

A subsequent report makes it clear that, post the review, Shell decided to follow the least costly course of action: "Option A". The paper, dated 17 April 2013, outlining Shell's "Nigeria Strategy Review", noted that production was allowed to continue "on a stop start basis."[56] It went on to explain that, "*If the oil theft impact is limited to economic loss, production is allowed to continue, however, when material environmental damage is involved, production will be halted as soon as practical (e.g. within security constraints).*"[57]

This suggests that Shell was concerned with the pollution. However, the "Project Madrid" presentation revealed that Shell would shut down pipelines only where there were "significant leaks" - which the presentation defined as more than 250 barrels over one month period.[58] The presentation questioned whether this position was "defensible Vs global benchmarks."

These documents therefore appear to reveal that Shell opted for the least costly option, while recognizing that it would lead to greater environmental harm.



Sacrifice Zones

UN experts have described heavily contaminated areas where low-income and marginalized groups bear the disproportionate burden of exposure to pollution and toxic substances as "sacrifice zones".[59] Often sacrifice zones are more accurately described as "racial sacrifice zones", as these harms are disproportionately concentrated in neighbourhoods, regions and countries populated by racialized people.[60] Shell's use of the term "sacrifice" appears to focus on potential financial losses, rather than impacts experienced by affected community members, including lost income, ill health, loss of livelihood and pollution.

56 Note to Executive Committee ROYAL DUTCH SHELL PLC NIGERIA STRATEGY REVIEW -Andy Brown, ECAB. 17 April 2013, doc 25 MPR-10 HB 900-911_260421_134309 HB/909. See: HEDA, "Shell Documents" (previously cited).

57 Note to Executive Committee ROYAL DUTCH SHELL PLC NIGERIA STRATEGY REVIEW -Andy Brown, ECAB. 17 April 2013, doc 25 MPR-10 HB 900-911_260421_134309 HB/909. See: HEDA, "Shell Documents" (previously cited).

58 Project Madrid Steering Group Update, 18 March 2013, Doc 23 MPR-10 HB 856-891_Redacted_260421_133829, pHB 863. See: HEDA, "Shell Documents" (previously cited).

59 UN Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, Report on the right to a clean, healthy and sustainable environment: non-toxic environment, 12 January 2022, UN Doc. A/HRC/49/53, para. 27. https://www.ohchr.org/en/documents/thematic-reports/ahrc4953-right-clean-healthy-and-sustainable-environment-non-toxic

60 Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy and Sustainable Environment, Supplementary information to the Report of the Special Rapporteur: Additional sacrifice zones, 2 March 2022, UN Doc. A/HRC/49/53, para. 3. https://www.ohchr.org/sites/default/files/2022-03/Annex1_to_A_HRC_49_53.pdf

4. "BASKET" PIPELINE AND CHAOTIC MANAGEMENT

The documents show that the concerns raised over decades by human rights and environmental justice groups that Shell's decrepit pipeline system was dangerously unfit for purpose were justified.[61] During the period covered by the documents at least, Shell senior managers were not only aware of the state of the infrastructure but also had concerns over the competence of staff.

4.1 SHELL STAFF KNEW IT WAS NOT MAINTAINING CRITICAL INFRASTRUCTURE TO INTERNATIONAL STANDARDS

Shell has always denied allegations that it has operated its pipelines and other critical infrastructure negligently in the Niger Delta, maintaining in public that it followed "global Shell Group standards and the International Standards Organisation (ISO) guidelines" (despite exempting SPDC from those very standards - see above).[62]

But internal audits which have now been made public, reveal numerous issues with SPDC's management of its infrastructure. In 2011, one of them reported that attacks on the pipelines, including for oil theft, had resulted in a *"significant backlog of pipeline maintenance and severely impacted the overall technical and operational integrity of the pipelines."*[63]

The audit also "*identified the following significant weaknesses in the overall control framework for managing pipelines assets:*

- *Inadequate risk review and management process.*
- *Weaknesses were identified around the rigour required in the assessment, implementation and monitoring or risk responses to manage identified risks on an ongoing basis;*
- *Inadequate assurance around contractor personnel competence; integrity of numerous clamps used for pipelines repairs; and pipelines manuals/documents control;*
- *Ineffective performance management with key internal stakeholders; and*
- *Incomplete pipeline asset reference planning.*"

In addition, the audit found that SPDC staff frequently used clamps to repair the pipelines, but noted that it did not actually know where these were, even though these sometimes failed and caused further spillages: *"A cause for further concern is the known lack of clarity as to the actual number of clamps on SPDC pipelines, including legacy clamps with yet unknown location coordinates. The pipelines team estimates that some 1,600 + clamps are registered."*

61 See for example, the Bayelsa State Oil and Environmental Commission, An Environmental Genocide: Counting the Human and Environmental Cost of Oil in Bayelsa, Nigeria, p80, https://www.bayelsacommission.org/; Also Amnesty International, Nigeria: Petroleum, *Pollution and Poverty in the Niger Delta*, 2009 (Index: AFR 44/017/2009), https://www.amnesty.org/en/documents/AFR44/017/2009/en/; Amnesty International, *The True Tragedy: Delays and Failures in Tackling the Oil Spills in the Niger Delta*, 2011 (Index: AFR 44/018/2011), https://www.amnesty.org/download/Documents/24000/ afr440182011en.pdf; Amnesty International and the Centre for the Environment, Human Rights and Development (CEHRD), *Bad Information: Oil Spill Investigations in the Niger Delta*, 2013 (Index: AFR 44/028/2013), www.amnesty.org/en/documents/ AFR44/028/2013/en/; *Clean It Up: Shell's False Claims about Oil Spill Response in the Niger Delta*, 2015 (Index: AFR 44/2746/2015), https://www.amnesty.org/en/documents/afr44/2746/2015/en; *Negligence in the Niger Delta: Decoding Shell and Eni's Poor Record on Oil Spills,* 2018 (Index: AFR 44/7970/2018), https://www.amnesty.org/ en/documents/afr44/7970/2018/en/;

62 Shell in Nigeria: Environmental Performance – oil spills, 2013

63 8 MPR-10 HB 1248-1262_Redacted_260421_131043, Shell Internal Audit: Audit Report UIG - 2011.005 SPDC Asset Management - Pipelines [IE NCTL, TNP, GPHSL, TRP, TFP, TEP). BAC/FAC: BAC 1: Upstream International, BAC 2: Sub-Saharan Africa Functional Area: Technical & Operational Excellence Sponsor: Mutiu Sunmonu, VP Production UIG. See: HEDA, "Shell Documents" (previously cited).

A document from 2012, based on a "Pipeline Integrity Support Visit" by technical experts from RDS, identified further concerns.[64] For example, it found flaws in SPDC's application of a methodology for protecting pipelines from external corrosion (known as Cathode Protection, CP):

> "Inadequate CP [Cathode Protection]." level observed (% pipeline length unprotected); often a result of poor coating maintenance
> - Quality of CP monitoring data provided by Asset Teams is questionable/incomplete ...
> - Coating condition assessment and remedial work is not done in a structured way, that would allow proactive prevention of leaks."

This document also confirms that some of Shell's pipelines were old and not being maintained in line with Shell guidelines. It stated that "*SPDC flowlines are… supposed to be replaced with a fixed frequency (every 15 years). This process of replacement is however not being followed and only breakdown maintenance is applied… SPDC is looking for guidance how to proceed as they are not compliant with own guideline and not staffed to switch to inspection based replacement.*"

The disclosures also reveal in addition to the state of its ageing pipelines, Shell's managers also had concerns about the condition of its many oil wells – and did not even know where they all were. Its system for storing information about these was known as eWims. An audit from 2011, identified so many flaws in the system that it reported that "*eWIMS might not achieve its objective to provide transparency regarding compliance of the well integrity with the agreed performance standards*."[65]

In 2013, there were further concerns about this system.

A Business Assurance Letter sent to the CEO of RDS at the time on 31 January 2014, cited by the plaintiffs' lawyers, reported that "*there are hundreds of onshore wells in SPDC which are either not fully captured in the electronic Wells integrity management system (eWims), and/or the technical integrity status cannot be verified due to access*."[66]

Subsequently a "*well hunt campaign*" was undertaken to locate all wells and restore their integrity. As a result, 750 overdue maintenance tasks for *"Well Preventive/ Corrective Maintenance" were identified,* resulting in an "*unsatisfactory*" rating in the company's 2014 well integrity audit.[67]

These disclosures raise serious questions about the state of Shell's infrastructure at the time, and its ability to effectively prevent and then respond to spills.

4.2 SPDC LACKED LEAK DETECTION CAPABILITIES.

Two internal documents disclosed in the proceedings raised concerns by Shell's technical experts over the effectiveness of its vitally-important leak detection capabilities in Nigeria. Experts who visited the region in 2012 noted that, "*SPDC needs better leak detection on pipelines and flow lines.*"[68]

This was followed by a report from 2013, which found that *"SPDC's Pipeline Infrastructure has no real-time monitoring capabilities, other than station discharge pressures with Hi-Lo pressure trip settings. Only major pipeline ruptures would result in station trips, average 3rd party spills will not be observed on station discharge pressure profiles."*[69]

These gaps were significant, since the ability of an operating company to respond quickly to a spill from its pipelines, and limit contamination, is key to reducing the likely impact of pollution.[70] A speedy response is also a requirement under Nigerian law.[71]

Previous research has demonstrated that Shell responded more slowly to spills than was required by the law.[72]

64 13 MPR-10 HB 805-827_260421_132229, Pipeline Integrity Support Visit: SPDC Port Harcourt, 19-23 November 2012, ascribed to "Project and Technology". See: HEDA, "Shell Documents" (previously cited).

65 Renshaw, Tenth Witness Statement, para 104a, citing D1_00000434 (HB/768-780). See: HEDA, "Shell Documents" (previously cited).

66 Renshaw, Tenth Witness Statement, para 104b, citing D1_00000870 **(HB/978).** See: HEDA, "Shell Documents" (previously cited).

67 Renshaw, Tenth Witness Statement, para 105, citing D1_00001079 **(HB/1186-1187).** See: HEDA, "Shell Documents" (previously cited).

68 13 MPR-10 HB 805-827_260421_132229, Pipeline Integrity Support Visit: SPDC Port Harcourt, 19-23 November 2012, ascribed to "Project and Technology". See: HEDA, "Shell Documents" (previously cited).

69 18 MPR-10 HB 750-767_260421_133404, ECAB Annual Review of UIO/G Significant Sabotage Leaks. See: HEDA, "Shell Documents" (previously cited).

70 See: Amnesty International & CEHRD, *Negligence in the Niger Delta* p20-29

71 National Oil Spill Detection and Response Agency (NOSDRA), Oil Spill Recovery, Clean-up, Remediation and Damage Assessment Regulations, 2011, Part VII (102), p76.

72 See: Amnesty International & CEHRD, *Negligence in the Niger Delta* p20-29

Oil pollution residue visible in the water of the rivers and the creeks close to Bille, Nigeria, June 2026. © Amnesty International

Poor leak detection capabilities and slow response times were likely to have exacerbated the impact of spills. For example, in 2008, Shell failed to respond in a timely manner to two enormous spills caused by corrosion on its Trans-Niger Pipeline into the Bodo creek. Crude oil continuously leaked into the water for at least 10 weeks on each occasion.[73]

4.3 "SERIOUSLY FLAWED" SECURITY OPERATIONS

Shell's experts also had concerns about its staff's ability to respond to oil theft and other security risks. A 2011 review found SPDC's security operations to be "*seriously flawed*". Among other problems, there were "*poor responses to security incidents; ineffective management of relationships with security forces, failure to build up skills and capability, unsatisfactory approach to intelligence gathering and assessment, no proper due diligence applied to the contracting and procurement process*" and "*serious questions about inappropriate payments and effective cost control*."[74]

4.4 FLAWS IN SPILL ASSESSMENTS

Identifying the correct cause of an oil spill in Nigeria is important and often contested by people those affected. This is because while an operating company is responsible for cleaning up all pollution regardless of the cause, under Nigerian law they are only obliged to pay compensation if the cause was identified as being operational (rather than theft or sabotage – in which case Shell would not have to pay compensation).[75]

Shell has explained that one of the main ways in which its staff were able to identify the cause was by visual assessment, including by analyzing the nature of the hole or leak point and whether there had been prior disturbance of the soil. But Amnesty and other groups have previously highlighted how these assessments are based on a flawed methodology and that spills caused by "operational" faults have been mislabelled as being caused by sabotage and theft.[76]

These concerns appear to have been confirmed by one of the recently disclosed documents. According to a technical audit from November 2012, technical experts noted that "*Shell team members…are challenged to identify the failure cause on the spot: 3rd party vs corrosion degradation mechanism;*" and that "*Team Lead… is not sufficiently equipped with knowledge and tools to assess if a spill is caused by corrosion or third party activity and which type of corrosion is involved*."[77]

This suggests that at that time, Shell staff might have been mislabelling oil spills as "sabotage" or "third-party interference" when in fact they were caused by corrosion or other operational faults.

In 2012, Shell reported to the government regulator that 132 out of 170 separate spills from its wells and

73 Amnesty International, "Nigeria/UK: "Historic moment" as community devastated by Shell oil spills have final chance for justice", 7 May 2025, https://www.amnesty.org/en/latest/news/2025/05/nigeria-uk-historic-moment-as-community-devastated-by-shell-oil-spills-have-final-chance-for-justice/

74 CLAIMANTS' SUPPLEMENTAL SKELETON For CMC on 18 May 2026, 17.1. See: HEDA, "Shell Documents" (previously cited).

75 Amnesty International, *Negligence in the Niger Delta*, p29

76 Amnesty International, *Negligence in the Niger Delta*, p29

77 13 MPR-10 HB 805-827_260421_132229. See: HEDA, "Shell Documents" (previously cited).

pipeline were due to "sabotage" and "theft", spilling more than 20,000 barrels in total.[78] The admission cited above, that its staff could not actually properly identify the cause of spills suggests that the reporting to the government had the potential of being inaccurate, and that some of these spills may have been caused by corrosion and other "operational" faults. If this was in fact the case, and if the measure of compensation was directly attributable to whether oil spills were caused by sabotage or operational failures, that suggests that Shell could have underpaid compensation owed to those affected.

4.5 AN ABANDONED PIPELINE WAS LEFT UN-DECOMMISSIONED DESPITE MAJOR RISKS TO THE ENVIRONMENT

An exchange of emails between senior staff reveals that when Shell took steps to replace a major pipeline (the "old" NCTL) in 2010, it failed to approve funds for proper decommissioning.

According to solicitors representing the claimants, an email between staff dated 27 June 2014 stated that,

> "we discussed 2 Operational Pipeline Spills originating from the old NCTL which is still awaiting decommissioning . . . the sections from Tora to Bonny (some 80 km) are still filled with stagnant crude (50% BS&W). We have had since 2010, 6 operational spills, of which the last 3 in 2014 alone. It is the panel's understanding that the decommissioning team cannot proceed due to budget constraints. The panel recognises that the quality of the old NCTL (it's a basket) is such that we will encounter more operational spills if the decommissioning does not take place soon."[79]

The response to this email appears to confirm that the decision not to properly decommission the pipeline, even though it was the source of pollution, was primarily financial. The response read that

> "this decommissioning is one that must be funded to reduce the environmental impact and also lessen our liability (even after asset transfer, it will be difficult to watch the saga from afar). However, finding budget offset from the Base-budget has been a challenge."[80]

The disclosures appear to show that Shell failed to decommission properly the NCTL when it was replaced in 2010, leaving it vulnerable to oil theft and leaks (since it was "*still filled with stagnant crude*".[81] Other assets in the Bille area were also left un-decommissioned, according to lawyers for the claimants.[82]

It should also be noted that despite reporting above (to an internal readership) that the company had seen six operational spills occur along the "old" NCTL from 2010 – 2014, the company only reported two of these to the regulator, according to records it posted on its website.[83] This indicates that the company did not report the spills to the government regulator as required by law or proceed to clean up the spills and compensate affected people.

...Shell staff might have been mislabelling oil spills as "sabotage" or "third-party interference" when in fact they were caused by corrosion or other operational faults.

78 Spill data on file with Amnesty International.

79 Details of the sender and recipient of the email have not been disclosed. Renshaw, Tenth Witness Statement, par 96

80 Renshaw, Tenth Witness Statement, para 96, citing D2_00092484 **(HB/1103).** See: HEDA, "Shell Documents" (previously cited).

81 Renshaw, Tenth Witness Statement, para 96, citing D2_00092484 **(HB/1103).** See: HEDA, "Shell Documents" (previously cited).

82 Renshaw, Tenth Witness Statement paras102-106. See: HEDA, "Shell Documents" (previously cited).

83 This is according to a database of oil spill reports from the period maintained by Amnesty International. The spills they reported were JIV ID 1033784, 2013 and JIV ID 1141611, 2014.

4.6 SAFETY CONCERNS OVERRIDDEN OR SUPPRESSED

The documents show that senior Shell staff frequently discussed the poor state of its Nigeria operations and how to respond. In 2013, Shell created "Project Madrid" to come up with a plan (see above). Five years earlier, in October 2008, there was a similar debate over whether or not to keep pumping crude oil through a leaking pipeline – the "old" NCTL. Emails reveal that a senior employee raised concerns about this decision but was overruled.

On 10 October 2008, one senior manager wrote to the most senior RDS executive in West Africa, stating that he disagreed with the plan to keep pumping oil through the pipeline. He wrote that:

> I believe this…still leaves SPDC, and those making decisions, pretty exposed. As I said before, I find the argument that we can't effectively shut the supplying wells down as a reason to keep going, at best weak."

He concluded his message by adding,

> "Sorry if I sound like a broken record on this - but the approach makes me - as your Technical VP - pretty uncomfortable."[84]

In reply, the senior executive overruled him:

> "it was not an easy decision. For the future, please put any disagreements of this level under legal privilege. You have just exposed us significantly in your official disagreement as technical manager without legal privilege. I don't think we are saying we can't deal with it, I am saying it's a choice, both involve risks, and I have decided at this time, the lower risk to both people and environment, is to try and keep operating in the mode that is described."[85]

Another document also suggests that Shell executives sought to supress evidence of mismanagement and the parlous state of Shell's infrastructure. The email, sent by a senior SPDC manager to the head of Shell's businesses in Nigeria, in 2013 called for the "rescheduling" of a planned audit of Shell's management of illegal oil theft from 2009-2012. It noted that:

> "We all know this cannot have a good outcome. I have no doubt that this will come out as UNACCEPTABLE, in which case we may be very exposed in disputing any oil loss claims from the Government or compensation claims from the community.
> There is a lot going on in this area and whilst I would welcome an audit to help improvement, I also wonder whether such an audit could potentially do more harm than good."[86]

The documents do not note whether the audit went ahead or if it did, what its findings were. As detailed above, other audits of Shell's management of its infrastructure revealed numerous deficiencies.

Oil pollution in the Niger Delta, October 2024. © Sanne de Wilde

84 From: Droll, Markus SEPA-EPG-T Sent: 10 October 2008 22:17 To: Pickard, Ann D SEPA-EPG Subject: FW: For the record, EPG approval of continued operations of nctl outside of technical integrity standards. Doc 10 MPR-10 HB 708-710_Redacted_260421_131342. See: HEDA, "Shell Documents" (previously cited).

85 Pickard, Ann D SEPA-EPG[/O=SHELL/OU=AG1- SHELL/CN=RECIPIENTS/CN=NGAPI0] Sent: Sat 11/10/2008 5:31:38 AM (UTC) To: Droll, Markus SEPA-EPG-T[/]; Klusener, Guus SEPA-LSEP-G[/] Subject: confidential, subject to legal privilege, Doc 10 MPR-10 HB 708-710_Redacted_260421_131342. See: HEDA, "Shell Documents" (previously cited).

86 Vincent Holtman SPDC-UIO. To: Mutiu Sumnonu. Sent: 15.2.13 CC; Markus Droll Subject: Legal Privilege - Draft TOR UIO-G/2013.002: Nigeria - SPDC Crude Oil Bunkering (Business Impact & Mitigation Effectiveness Audit (May 2013), doc 26 MPR-11 HB 1619-1621_Redacted_260421_134338. See: HEDA, "Shell Documents" (previously cited).

4.7 BROKEN RULES

The disclosed emails also reveal two instances when Shell executives knew rules were being broken. One manager from Shell's headquarters who visited Nigeria in 2012 then emailed colleagues that his trip had

> "confirmed my suspicions that there is collusion, nepotism and corruption running through the veins of [SPDC]………the fact is no one bats an eyelid here. Shell's Code of Conduct is an inconvenience here: it's completely ignored".[87]

Another email from 2008 records a senior Shell executive acknowledging that the company's response to leaks in Nigeria would not be tolerated elsewhere:

> "If we had an oil leak onshore in other countries I suggest we might (have to) find other solutions".[88]

4.8 SHELL EXECUTIVES WERE CONCERNED THAT ITS OWN STAFF AND CONTRACTORS WERE INVOLVED IN THE OIL THEFT

The role of individual company staff in oil theft has long been discussed in the Niger Delta. For example, in 2003, security consultants working for Shell reported that "most illegal bunkering operations are conducted with considerable knowledge of pipeline operations and so the involvement of former or current oil company staff is a real possibility."[89]

This was apparently still a concern for the company ten years later. For example, one email between senior managers from 26 March 2013 warned that

> "we have to work on the assumption that the bunkerers get good access to SPDC planning data."[90]

Notes from a meeting of senior RDS and SPDC staff held the day before, on 25 March 2013 revealed that they discussed the issue:[91]

> "Colluding staff and contractors.
>
> - Action: Investigate the alleged staff/contractor involvement in crude theft; explore the use of internal 'traps' to detect who and how these persons may be involved.
>
> - Steer: As a strong message on Shell's renewed resolve to tackle crude theft, from now on, terminate any surveillance (or other) contract where it is proven that the contractor's personnel have been involved in crude theft."

The documents do not reveal what action, if any, Shell eventually took, or if these had any impact. Certainly, oil theft continued to be a major problem for years after this meeting was held.

87 CLAIMANTS' SUPPLEMENTAL SKELETON For CMC on 18 May 2026, 17.4. See: HEDA, "Shell Documents" (previously cited).

88 6 MPR-10 HB 705-707_Redacted_260421_130937. See: HEDA, "Shell Documents" (previously cited).

89 WAC Global Services, PEACE AND SECURITY IN THE NIGER DELTA, 2003. P47.

90 21 MPR-10 HB 895-896_Redacted_260421_133730. See: HEDA, "Shell Documents" (previously cited).

91 20 MPR-10 HB 897-899_Redacted_260421_133702, Email from [REDACTED] to Barbara Blum SEPA-LSUI/G, cc Markus Droll, SEPA-UIO/G; Mutiu Sunmonu SPDC-UIO/G/N; Bayo Ojulari SPDC-UIO/G/D; REDACTED SNEPCO-UIO/G/PO; David Martin SPDC-UIO/G/P; Philip Mshelbila SNEPCO-CXUI/F; Brian Mair SPDC-CSG; REDACTED SPDC-UIO; Tony Attah, SPDC-UIO/G/I; Rob Donnelly SI-GRE; REDACTED SPDC-PTP; REDACTED AA SPDC-PTP; Jurgen Janzen SPDC-UIO/G/PNP; Richard Denny SNEPCO-UIO/G/CN; REDACTED SPDC-LSUI/G; REDACTED SPDC-UIO; Cor Koster SPDC-UIO/G/PN; REDACTED SPDC-UIO/G/NR, Subject: Meeting Notes Crude Theft DBR 25 March 2013 - Confidential and Legally Privileged.,26/03/2013 . See: HEDA, "Shell Documents" (previously cited).

5. CUTTING AND RUNNING

Almost 70 years after first finding oil in commercial quantities in Nigeria, Shell sold SPDC in 2025 to a group of mainly Nigerian companies operating as Renaissance.[92]

Many human rights and environmental organizations in Nigeria and beyond have raised concerns about the process by which SPDC and other IOCs received regulatory approval for the sale of their businesses, given the state of the infrastructure and scale of the pollution that they left behind.[93] In **an open letter** to the Nigerian industry regulator, forty International and Nigerian Non Governmental Organisations said that the sale of SPDC should not have been allowed to proceed before the environmental pollution caused by SPDC had been fully assessed, sufficient funds provided by SPDC to guarantee that clean-up costs could be covered, and affected communities fully consulted.[94]

The organisations also raised concerns with the regulator regarding the capacity of Renaissance to take on Shell's business. Nigeria's industry standards require companies taking on an oil joint venture to have the necessary financial resources to operate responsibly.[95] But Renaissance was a new company with no track record that could be assessed. It had no financial history, and there was little information available in the public domain on the financials of any of the companies that made up the Renaissance consortium. Renaissance even required assistance from Shell plc to acquire SPDC. Shell confirmed that it provided "secured term loans of up to US$1.2bln, to cover a variety of funding requirements".[96] Despite concerns by the regulator, the sale went ahead following the intervention of Nigeria's president.[97]

As discussed below, we now know, thanks to the release of these documents, that Shell's decision to divest was driven by its interest in avoiding the costs of decommissioning and clean-up.

5.1 SHELL CONSIDERED DIVESTING ITS ASSETS TO AVOID DECOMMISSIONING COSTS WORTH BILLIONS

Several documents reveal that Shell's decision to divest its network of onshore wells and pipelines was driven by increasing costs due to oil theft and pollution. A "Nigeria Strategy Review" presented to members of its Executive Committee in 2013, outlined that:

> "The current realities in the Delta make SPDC's operating strategy unsustainable. Frequent production interruptions caused by oil theft, but in particular the resulting environmental impacts from the oil theft, make carrying on as before unacceptable. There are no easy answers. Divesting the production blocks that are dominated by oil production, and hence associated with the majority of oil theft and environmental damage, appears to be the best option for maintaining value while addressing the issue."[98]

In this context "maintaining value" refers to the company's overall financial health. The company appears concerned by the potential hit to this from decommissioning and clean-up.

92 Shell Plc, "Completion of sale of SPDC to Renaissance", 13 March 2025, https://www.shell.com/news-and-insights/newsroom/news-and-media-releases/2025/shell-completes-sale-of-spdc/spdc-sale.html

93 SOMO, *Shell's reckless divestment from Niger Delta*, 27 February 2024, https://www.somo.nl/shells-reckless-divestment-from-niger-delta/

94 Amnesty International, "Nigeria: Government must halt Shell's sale of its Niger Delta business unless human rights are fully protected", 15 April 2024, https://www.amnesty.org/en/latest/news/2024/04/nigeria-government-must-halt-shells-sale-of-its-niger-delta-business-unless-human-rights-are-fully-protected/

95 DPR Guidelines and Procedures for Obtaining Minister's Consent to the Assignment of Interest in Oil and Gas Assets 2021, https://www.nuprc.gov.ng/wp-content/uploads/2021/04/DPR-Guidelines-on-Asset-Divestment-2021.pdf.

96 Shell plc, "Shell agrees to sell Nigerian onshore subsidiary, SPDC", 16 January 2024, https://www.shell.com/media/news-and-media releases/2024/shell-agrees-to-sell-nigerian-onshore-subsidiary-spdc.html

97 Financial Times, "Shell tied new Nigeria offshore investments to approval for oil asset sale", 20 December 2024, https://www.ft.com/content/a56fb99d-f95e-4e0f-9312-3b56e14a94fb?syn-25a6b1a6=1

98 Note to Executive Committee ROYAL DUTCH SHELL PLC NIGERIA STRATEGY REVIEW -Andy Brown, ECAB. 17 April 2013, doc 25 MPR-10 HB 900-911_260421_134309 HB/911. See: HEDA, "Shell Documents" (previously cited).

Flow station close to the town of Bille, Nigeria in June 2026. © Amnesty International

On 31 January 2014, a letter sent to Shell CEO cited by claimants' solicitors recorded that

> 'it could take up to several decades to decommission all existing SPDC assets, and could amount to an estimated total asset retirement obligation of USD10.9bn.'"[99]

In today's dollars, this would be equivalent to $14 billion.[100] SPDC was a 30% stakeholder in SPDC JV. Its share of just the decommissioning costs would therefore be $4.2 billion at today's dollar value.

This sum did not apparently include clean-up costs as well decommissioning. The issue was addressed in another document, an internal presentation dated in 2013 for a "Policy Forum on Nigeria" which considered options for *"handling potential liabilities related to SPDC past oil spills".*[101]

As summarised by lawyers for the claimants, the document laid out two paths. The first involved transferring all liabilities to buyers. The second involved Shell committing to the clean-up and remediation of oil spills. The presentation identified 375km^2 of affected mangrove forest, and questioned: *"Do we have the appetite to take on this open-ended problem?* [102]

Considering the compelling evidence that Shell did not remediate all pollution that stemmed from its operations as it divested its business, the answer to this question appears to be "no".[103]

In 2015, a first wave of divestments was carried out, among them the sale of Shell's shares in the NCTL to a Nigerian oil company, Aiteo, along with a connected oilfield (Oil Mining Lease 29). Shell received US$ 1.7 billion for the sale. Shell's JV partners, Eni and Total also sold their stakes in these assets to Aiteo.[104]

As detailed above, at the time of the divestment to Aiteo, Shell appears to have been well aware of the massive costs of decommissioning the entirety of its aged and decaying infrastructure. Rather than cover these costs, it appears that Shell decided to sell.

99 Renshaw, Tenth Witness Statement, para 98, citing D1_00000870 **(HB/970).** See: HEDA, "Shell Documents" (previously cited).
100 Calculated from https://www.in2013dollars.com/us/inflation/2014. See: HEDA, "Shell Documents" (previously cited).
101 Renshaw, Tenth Witness Statement, para 98, citing D1_00009129 **(HB/959).** See: HEDA, "Shell Documents" (previously cited).
102 SOMO, *Selling Out Nigeria – Shell's irresponsible divestment*, 24 February 2024, Ch 3, https://www.somo.nl/shells-reckless-divestment-from-niger-delta/
103 SOMO, *Selling Out Nigeria* (previously cited)
104 SOMO, *Selling out Nigeria* p64

5.2. CONCERNS OVER THE COMPANIES BUYING ITS BUSINESS

In 2025, Shell sold the entirety of its remaining onshore business to a group of companies operating as Renaissance.

The companies agreed that the net book value of SPDC was $2.8 billion.[105] The figure that Shell's CEO estimated as the likely cost of decommissioning was significantly higher ($14 billion).[106]

The fact that Shell had to lend money to Renaissance to purchase SPDC (as noted above) in the first place raises concerns over whether Renaissance has the financial resources to cover the decommissioning of the vast infrastructure built by Shell in the Niger Delta since the 1950s – let alone ensuring appropriate maintenance for the existing operational infrastructure to prevent routine further leaks, or to clean up the vast legacy pollution left behind by the operations of the SPDC JV's operations.[107]

The fear is that Renaissance has little ability to clean up the pollution that Shell has left behind, and little ability to prevent further devastating pollution.

Escaped methane gas bubbling to the surface in rivers and creeks close to Bille, Nigeria, in June 2026.
© Amnesty International

105 Shell Plc, "Shell agrees to sell Nigerian onshore subsidiary, SPDC", 16 January 2024 https://www.shell.com/news-and-insights/newsroom/news-and-media-releases/2024/shell-agrees-to-sell-nigerian-onshore-subsidiary-spdc.html

106 Calculated from https://www.in2013dollars.com/us/inflation/2014

107 Shell Plc, "Shell agrees to sell Nigerian onshore subsidiary, SPDC", 16 January 2024, https://www.shell.com/news-and insights/newsroom/news-and-media-releases/2024/shell-agrees-to-sell-nigerian-onshore-subsidiary-spdc.html

6. HIDING BEHIND A LEGAL FICTION

Finally, the documents call into question Shell's long-promoted claim that SPDC's parent company (Royal Dutch Shell [RDS] now Shell plc) was uninvolved in the decision-making around SPDC's operations.

In evidence to the UK courts, Shell has claimed that "RDS is a holding company . . . RDS does not involve itself or otherwise intervene in the operational activities of its many hundreds of subsidiaries . . . Likewise it does not direct operational decision making or mandate how any general business objectives of the Shell Group of companies are to be achieved by individual operating companies. On the contrary, each operating company is autonomous . . ."[108]

The documents reveal the "autonomy" of SPDC to be a legal fiction. This strengthens the argument that the UK and Dutch governments have a duty to intervene, considering so many key decisions were taken in London and The Hague.

For example, the documents show that senior executives of RDS made decisions relating to SPDC's activities, including in determining how to address third party theft of oil, when to close down pipelines and how much environmental damage should be tolerated in SPDC's operations. They were supported in this by experts within the Shell Group. From at least April 2012, RDS had in place a *"Crude Oil Theft Decision Review Board"* ("DRB") to determine solutions to and strategy around crude oil theft from SPDC pipelines.[109] From March 2013, the DRB met weekly, chaired by RDS's Executive Vice-President for Sub-Saharan Africa. He was designated as the *"individual who provides steer, supervision and support and is fully and personally Accountable for the decisions made."*[110]

In 2013, RDS also implemented a programme code-named 'Project Madrid' to respond to the challenges of third-party oil theft. The project was again led by Executive Vice-President for Sub-Saharan Africa and a steering committee of RDS executives.[111] The issue of crude oil theft was "*reviewed at VP level daily*".[112]

Oil pollution residue visible at the side of the rivers and creeks close to Bille, Nigeria in June 2026. © Amnesty International

108 Brandjeis Witness Statement

109 20 MPR-10 HB 897-899_Redacted_260421_133702, Email from [REDACTED] to Barbara Blum SEPA-LSUI/G, cc Markus Droll, SEPA-UIO/G; Mutiu Sunmonu SPDC-UIO/G/N; Bayo Ojulari SPDC-UIO/G/D; REDACTED SNEPCO-UIO/G/PO; David Martin SPDC-UIO/G/P; Philip Mshelbila SNEPCO-CXUI/F; Brian Mair SPDC-CSG; REDACTED SPDC-UIO; Tony Attah, SPDC-UIO/G/I; Rob Donnelly SI-GRE; REDACTED SPDC-PTP; REDACTED AA SPDC-PTP; Jurgen Janzen SPDC-UIO/G/PNP; Richard Denny SNEPCO-UIO/G/CN; REDACTED SPDC-LSUI/G; REDACTED SPDC-UIO; Cor Koster SPDC-UIO/G/PN; REDACTED SPDC-UIO/G/NR, Subject: Meeting Notes Crude Theft DBR 25 March 2013 - Confidential and Legally Privileged.,26/03/2013 . See: HEDA, "Shell Documents" (previously cited).

110 Renshaw, Tenth Witness Statement, para 68, citing D1_00000279

111 22 MPR-10 HB 960-961_Redacted_260421_133758, Email from Cor Koster SPDC-UIO/G/PN/[/O=Shell/OU=AG1=SHell/CN=Recipients/CN=NGCK03]. To: Richard Deny [Redacted] Dean Emanuel [Redacted] Rik Prager [Edacted]. Sent: 05/03/2013 Subject: Re; Urgent: Project Madrid. Attachment: Oil Theft Presentation JTF.pptx; 23 MPR-10 HB 856-891_ Redacted_260421_133829, Project Madrid Steering Group Update, 18 March 2013; See: HEDA, "Shell Documents" (previously cited). Renshaw, Tenth Witness Statement, para 123b, citing D2_00085053.

112 Renshaw, Tenth Witness Statement, para 124, citing D1_00008914

7. PRESSING FOR ACTION

It is now time for governments to act. The release of these documents reveals how little information relating to Nigeria's fossil fuel industry - including the sources of the pollution, corporate decision making, and the condition of critical infrastructure - is in the public domain.

The documents also appear to confirm serious failings by both Shell and the Nigerian government over many years. They appear to show that Shell was operating its infrastructure in breach of Nigerian law and regulations, which are benchmarked against international standards.

This is not just an issue for Nigeria, but the countries where Shell is headquartered as well - the UK and The Netherlands. They too have a duty to ensure that the company is not infringing on the human rights of communities and individuals.

The organizations co-publishing this report therefore call on human rights and environmental justice movements to organize through advocacy, court challenges and public outreach work to press for:

A. Nigeria to completely overhaul its oversight of the oil industry by

- Requiring all fossil fuel companies operating in Nigeria, including Shell and Renaissance Africa, to conduct audits of the condition of all operational and decommissioned infrastructure, and to publish the findings in a manner that affected communities can access.
- Urgently conducting studies into the impact that decades of pollution associated with oil extraction has had on the human rights of affected communities, specifically on health, water quality, fisheries and agriculture, and necessary remedial action.
- Requiring all fossil fuel companies operating in Nigeria, including Shell, to contribute to a superfund with sufficient resourcing to fully clean up the Niger Delta to international best standards.
- Urgently initiating a clean-up programme to international standards.
- Investigate the alleged complicity of Shell staff in bunkering and bribery.

B. Shell's home states – the UK and The Netherlands – to

- Investigate if Shell has infringed financial market rules by making misleading statements to shareholders with regard to its environmental, social and good governance standards and their application.
- Investigate the alleged complicity of Shell staff in bunkering and bribery.
- Introduce legislation to require companies to conduct human rights and environmental due diligence across their global operations and supply chains, with a monitoring mechanism and an enforcement procedure.
- Ensure Shell's directors are personally held to account for their involvement in the despoliation of the Niger Delta and for associated human rights abuses.
- To meet their obligations under environmental and international human rights law, countries like the UK and the Netherlands, which are among those most responsible for climate change, must also rapidly provide adequate, new, additional and predictable finance – primarily in the form of grant equivalent public finance – to support lower income countries, including Nigeria, in reducing emissions and adapting to climate change, as well as to address loss and damage and to support just transitions that leave no one behind, while aiming to ensure a balance between funding for mitigation and adaptation, including by speedily fulfilling new and existing funding commitments.
- They must also phase out fossil fuels by 2030, while ensuring an adequate standard of living for people with lower incomes who rely on subsidized fuel is an urgent first step.

C. Shell and Renaissance

- Conduct audits of the condition of all operational and decommissioned infrastructure, and to publish the findings in a manner that affected communities can access;
- Make public all studies previously conducted into the impact its operations have had on health, water quality, fisheries and agriculture
- Contribute to a superfund with sufficient resourcing to fully clean up the Niger Delta to international best standards.

In addition, in relation to the divestment of SPDC to Renaissance:

- Shell and the Nigerian Government to publicly disclose the full divestment agreement and framework under which assets were sold, naming all companies that acquired divested assets, identifying all assets and liabilities transferred, and specifying the communities within which those assets are located. This disclosure is essential to enable affected communities to identify who bears current legal accountability and to exercise their right to seek redress.
- Nigerian Government to reverse the transfer of legacy liabilities in all divestment approvals as enshrined in the Petroleum Industry Act. Require Shell and its joint venture partners to fully provide for and execute the clean-up, remediation and provision of adequate and verified fund for decommissioning.

ANNEX 1: EMAIL RESPONSE FROM SHELL

On 15 July 2026, a spokesperson for Shell responded with the following statement:

"The characterisation and portrayal of Shell in your letter is not one we recognise. Shell is committed to honesty, integrity and respect for people, and to conducting business in an ethical and transparent manner.

It is clear from your letter that you have selectively referred to and quoted from documents in a way that creates a misleading impression. For instance, what you have presented does not reflect the challenging operating environment in the Niger Delta at the time, including large-scale oil theft, sabotage and illegal refining carried out by organised criminal gangs. Nor do you properly reflect that Shell's former Nigerian subsidiary worked with Nigerian authorities, its government-owned partner and local communities to respond to these challenges, including cleaning up spills from joint venture facilities regardless of cause, as required by Nigerian law.

The Bille & Ogale claims are subject to ongoing legal proceedings in the English courts which we are defending vigorously. The documents you reference relate to complex and contested issues that will be tested through that court process."

ANNEX 2: PUBLISHERS OF THE REPORT

Amnesty International is a global human rights campaigning organization, which has investigated the causes and impacts of oil pollution in the Niger Delta since 2009, publishing numerous reports.[113]

The Corner House is a UK solidarity and research group which has been working on issues relating to oil and gas extraction in Nigeria for over a decade.[114]

Hawkmoth is a Netherlands-based NGO, seeking new thinking and action in tackling the polycrisis, and in accelerating the transition out of fossil fuels in a fair and equitable manner, centred on justice and accountability. It's founders bring many years of experience, working to hold the oil and gas sector to account, including in Nigeria, and on exposing environmental devastation, corporate crimes and human rights abuses.[115]

HEDA Resource Centre is a leading good governance, anti-corruption and environmental justice organisation in Nigeria, founded in November 2001 and duly incorporated in November 2004 as a Non-Governmental Organisation. Its vision is to see all persons in Africa, regardless of location and situation, have the freedom and ability to enjoy the benefit of good governance, and respect for human dignity in a sustainable environment. Its mission is to serve as a policy and campaign centre for research, training and advocacy on the environment, good governance and human rights.[116]

Kebetkache Women Development & Resource Centre is a community gender-based non-governmental organization working in Nigeria and the African region to promote women's rights and environmental justice. Kebetkache is rooted in communities in the Niger Delta and is recognized for its in-depth knowledge of the issues working in communities in the region especially around women's rights, democracy and good governance, peace and security and climate change. Kebetkache works extensively with women in rural communities of the Niger Delta region, in mobilizing and facilitating engagement with various levels of Stakeholders.[117]

113 Amnesty International, "What we do – Corporate Accountability" https://www.amnesty.org/en/what-we-do/corporate-accountability/

114 The Corner House, https://www.thecornerhouse.org.uk/

115 Hawkmoth, https://hawkmoth.eu

116 Heda Resource Centre, https://hedang.org/

117 Kebetkache Women Development & Resource Centre, https://www.kebetkachewomencentre.com/about-us

Miideekor Environmental Development Initiative (MEDI) is an environmental justice organisation in the Niger Delta region, with a particular focus on holding multinational corporations and government agencies accountable for environmental degradation, oil spills, and the rights of host communities. They work at the intersection of community rights, environmental accountability, and the enduring legacy of the Ogoni people's resistance, carrying forward the unfinished work of Ken Saro-Wiwa and all those who gave their lives demanding for environmental justice.[118]

ReCommon is an Italian NGO challenging corporate and state power responsible for the plunder of territories and has been supporting oil-industry affected communities in the Niger Delta since its foundation in 2012.[119]

Social Development Integrated Centre (Social Action) is a leading Nigerian organisation that builds solidarity with communities, movements, and civil society partners to achieve systemic change. Through research, public education, strategic litigation, and grassroots organising—and by supporting Community Advocacy Centres, Civil Rights Councils (CRCs), and civic hubs—the organisation advances human rights, democratic participation and accountability, resource and climate justice.[120]

SOMO, the Centre for Research on Multinational Corporations, works to expose and dismantle unjustified corporate power and the economic structures that sustain it. The Centre provides research, thought leadership and analysis and works with hundreds of organisations worldwide, acting as a knowledge, research and communications hub.[121]

118 Miideekor, https://miideekor.org/
119 ReCommon, https://www.recommon.org/en/
120 Social Action, https://saction.org/
121 SOMO, https://www.somo.nl/

NIGERIA: LIFTING THE LID

INTERNAL DOCUMENTS EXPOSE SHELL'S NEGLIGENT OIL OPERATIONS

A cache of internal documents recently disclosed in legal proceedings in the UK against fossil fuel company Shell Plc have lifted the lid on its negligent and polluting operations in the Niger Delta. For affected communities, the findings confirm what many have said for decades: oil pollution has damaged water, farmland, fisheries, health and livelihoods, while companies continued to profit and deny responsibility.

This briefing is published by Amnesty International together with The Corner House, Hawkmoth, HEDA Resource Centre, Kebetkache Women Development & Resource Centre, Miideekor Environmental Development Initiative (MEDI), ReCommon, Social Action and SOMO. Together, we have campaigned for years for justice for the people of the region.

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