

Nigeria: Extraction-driven devastation: an interview with Nnimmo Bassey

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In early 2021, anti-extractivist struggles won two major legal victories against Shell Oil's operations in Nigeria. These wins represent decades of community organizing on the part of Niger Delta activists and residents. ROAPE's Lee Wengraf interviews the environmental activist, Nnimmo Bassey, about oil, activism and Shell.

In a January ruling, a Dutch appeals court found on behalf of [four fishermen](#) that Shell's Nigerian subsidiary, Shell Petroleum Development Corporation of Nigeria (SPDC), was directly responsible for oil spills in the Goi, Ikot Ada Udo and Oruma communities, ordering compensation and immediate clean-up. The second was the February, [Okpabi](#) decision by the United Kingdom's Supreme Court that the multinational parent company, Royal Dutch Shell, could be held liable for the actions of the SPDC subsidiary. In that case, over 50,000 members of the Ogale and Bille communities sued for environmental destruction caused by [oil spills dating as far back as 1989](#). Both court decisions represent important wins and the culmination of decades of community organizing on the part of Niger Delta activists and residents, the oil-producing region of Nigeria subjected to over a half-century of extraction-driven pollution and environmental devastation. These cases are merely a glimpse into continent-wide devastation unfolding, as one grassroots [organization has stated](#), "with the knowledge of Western and powerful countries that profess to champion human rights, accountability and justice."

These legal developments raise important questions for community activists and the left. One, how can we understand these victories in the context of a shift by fossil fuel corporations towards declared goals of carbon emission reduction and expanding renewables? Multinationals have embraced what [some have characterized as deceptive](#) "green-washing" efforts while positioning themselves to seize the advantage in the profit-driven, "[green gold rush](#)" of the [renewables market](#). Have these shifts provided a favorable context for communities to take on multinationals in the courts and wrest some form of compensation and justice? Finally, in a globalized, neoliberal economy with capital sometimes characterized as immune from regulation, what are the implications of these decisions and the role of the state in the Global South?

Nnimmo Bassey is the director of the Benin City-based ecological think tank [Health of Mother Earth Foundation](#) (HOMEF) and a member of the steering committee of [Oilwatch International](#). He was chair of Friends of the Earth International (2008-2012) and Executive Director of Nigeria's Environmental Rights Action (1993-2013). He was a co-recipient of the 2010 Right Livelihood Award also known as the "Alternative Noble Prize." In 2019, he received an honorary doctorate from the University of York, United Kingdom. Nnimmo has written extensively on extractivism and environmental crisis in Africa, including the books *We Thought it Was Oil, But It was Blood - Poetry* (Kraft Books, 2002), *I will Not Dance to Your Beat - Poetry* (Kraft Books, 2011), *To Cook a Continent - Destructive Extraction and the Climate Crisis in Africa* (Pambazuka Press, 2012) and [Oil Politics: Echoes of Ecological Wars](#) (Daraja Press, 2016).

Nnimmo spoke with Lee Wengraf on these questions and the legacy of “[a nation split by oil](#),” whose civil war (1967-1970) birthed a federal system anchored in extraction, foreign investment and a deregulated industry.

Lee Wengraf: In recent weeks, we've seen two significant legal defeats for Shell Oil. Both clearly represent victories for the farmers and fisherfolk living for decades amidst ecological destruction in the Niger Delta. In both, the question of whether a foreign-owned multinational can be held responsible for its actions in a country, where it's extracting resources, is important. Could you speak about the importance of these cases and what these victories represent for Niger Delta communities and the struggle against extraction?

Nnimmo Bassey: The victories are extremely significant, especially because they almost reinforce one another. After so many years, Shell has been in denial and refused to accept responsibility for pollution that was clearly not caused by a third party [i.e., sabotage]. So, it was such a big relief that the appeals court in the Netherlands found that Shell had to compensate for traumas impacted by pollution that have been caused since 2004 and 2005. And then the Supreme Court ruling in the UK is extremely significant because that clearly stated that there's no way to hide for transnational corporations like Shell. When they pollute in Nigeria, they can be held to account in the courts in their own backyard.

So that's a victory for victims in Nigeria and elsewhere because often corporations behave like they can do anything, they are extremely “colonial” in their approach to extractive activities. So, this one brings justice to the people. It's like a breath of fresh air for the people who have been choking on fossil fuel fumes over the years. And it should also be an incentive for oil companies to behave better.

As you say, in the Dutch case, the spills go back as far as 2004. There's also been cases where the pollution stretches back decades. What has been the impact on Delta communities concretely?

The impact of the pollution across the Delta, apart from the [Nigerian civil] war, these are permanent scars on the environment. Take, for example, the spill and the destructive impact on the Ogoni communities, which is where Chief [Eric] Barizaa comes from, one of the plaintiffs in the case against Shell. That community does not really have any oil infrastructure: there's no pipeline there, no oil wells. But because of the entire nature of the creek around there, oil pollution came from somewhere else and because it caught fire, and the entire community burned down. That community, the Goi community, is still largely uninhabited. There's one location that I personally visit whenever I go to Ogoniland, and I just sit there for a few minutes and remind myself that this injustice simply cannot be swept under the carpet. I see children swimming in oil-coated water, fishermen fishing in this oil-contaminated water, hoping to catch something. Sometimes they do come out with one or two tilapia. The last time I was there I asked a fisherman to open the fish up and we found crude oil right in the belly. The fish they catch there are totally unfit for human consumption.

The case of Orumo is also very interesting. It was a leakage in the pipeline which may have been caused by corrosion, certainly it wasn't caused by third-party interference: it was buried in the ground, about six feet below the surface, and the leakage was on the underside of the pipe. So, the arguments have always been about ways of avoiding responsibility and having the judges in the Netherlands say that Shell has a duty of care, I believe it's a very clear signal, it's saying that environmental misbehaviour cannot be ignored, they cannot always blame sabotage where there has been no sabotage.

And the Dutch case, with Friends of the Earth, it began when you were there. How did that first come about, the idea of bringing this to the courts?

Friends of the Earth International is a network of like-minded, grassroots environmental justice groups that work together on certain topics. Just before this case was instituted, this network was documenting as much as possible instances of pollution across the Niger Delta, in close collaboration with Friends of the Earth Netherlands / Milieudefensie. They visited the Niger Delta a number of times, visiting communities, documenting and generally providing support, because Shell is from their backyard. Then at a climate justice meeting in South Africa, in the early 2000s, where the idea of bringing this kind of litigation came up, discussions were followed up with Friends of the Earth Netherlands and Nigeria, and then it happened.

What are your thoughts on communities using the courts as part of an activist, anti-extractivist strategy? Of course, this is not a new development, but do you see this strategy gaining traction, especially as anti-extraction movements strengthen?

I do expect that more cases should be coming up. There are several cases in the Nigerian courts with corporations having this attitude of ignoring whatever the courts say here in Nigeria. So, finding that the courts in Europe and the Global North will be willing to listen to the victims from the Niger Delta should be very encouraging to people who have been ignored, who have borne the brutality of industry. I believe they are going to utilize this new opening to press for justice after so many years of being ignored as victims, as if their lives don't matter.

And the case in Britain, for example, builds on a legal victory on the part of 2,500 Zambian villagers against Konkola Copper Mine plc and [its UK-based parent company Vedanta](#) from 2019.

You cannot believe the level of desperation in these communities, where they are just ignored and they are left with the wrong end of the stick continuously. Now the case in Zambia, if you read the history of that company who went in there with nothing, and then [pushed] their way into millions of dollars.... These are all very encouraging signs that activism by ordinary people - they are not professional activists, these are ordinary people who are taking their destinies in their hands and finding opportunities in the courts, because where else are you going to find justice?

When you hear of companies like [BP](#) and Shell who have made pledges to rid themselves of fossil fuels, what is your response to these plans?

They just make me laugh. You know, you can fool some of the people some of the time, you can't fool all of the people all of the time. They will never fool me because, for example, the strategy that Shell has dusted off, which they have brought up before, they've said that by 2050, they going to achieve net zero. Now, we all know that net zero is not zero. What we want is zero emissions, not net zero, so you cannot keep on extracting, looking for new fields, moving into deeper waters and getting more fossil fuels, and you're telling me that you're working towards net zero. No, no, no, this is sophistry. I think we cannot accept that kind of arithmetic. We have to ask for zero emissions, not net zero, and be forced to watch over carbon stocks in forests and in trees while companies like Shell keep on polluting and assuming that the trees are absorbing the equivalence of their pollution. There are so many funny things, like investing in capture and storage instead of leaving it in the ground in the first place. So, I'm not impressed at all by this kind of announcement that they're making. They're just trying to buy time, to lure people and yield social capital to themselves so they can avoid the questions of how they are harming people who are living now and in future generations.

How would you characterize the role of the Nigerian government and its relationship with Shell more broadly? There seems to be an attempt by Shell to deflect some of the responsibility onto the lack of state regulation, which goes along with the sabotage issue. What do you make of the role of the Nigerian state in all of this?

I think the Nigerian Government is totally complicit in both cases because they are partners in the pollution. They're running a joint venture with Shell so when the company pollutes, the government is polluting also. Whatever shame comes on Shell, if I may use that term, when Shell is held accountable, our own judicial system should be worried that Nigerians have to go abroad to seek justice, when we have a government that should protect them, and we have a judicial system that should be respected in the country. So, the government is totally complicit. Here is a colonial arrangement with transnational corporations, but that doesn't excuse the Nigerian government. But the corporations are the operators, and they have a duty of care to ensure that the pollution doesn't occur in the way that it has in the Niger Delta.

There's an argument that's been made, for example in the Zambian case, that African governments involved don't have the ability to regulate these companies. What do you make of that?

I don't think that is correct. What is correct is that the legal system does not make it possible to regulate industry. African governments have to change the mechanisms for justice, have to change the legal frameworks. The Nigerian legal framework for most of what happens in the oil sector was drawn up during the Nigerian civil war [when the oil producing region] territory was a combat zone. That is why these I characterize these laws as "war laws" and these laws are patently unjust when it comes to the people and the environment. The same mentality at the center of these laws is still complicating the processes for change in the area.

So, it's not the innate inability of African governments, it's the colonial nature of the regulatory frameworks. The legislative framework is also a media coup, a public relations coup, of the companies who are always able to deflect the blame on victims in many ways and investing a lot in polishing their images, so people don't always think that these guys are responsible.

And finally, let me just say that, saying that African governments are unable to regulate oil companies is almost like saying that they are unable to regulate global bodies like the IMF and the World Bank. These are all agencies that are rigged against the African continent, and the same is true with transnational fossil fuel companies coming from outside the continent.

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