

# The Oruma case: Oil spill from a high-pressure oil pipeline

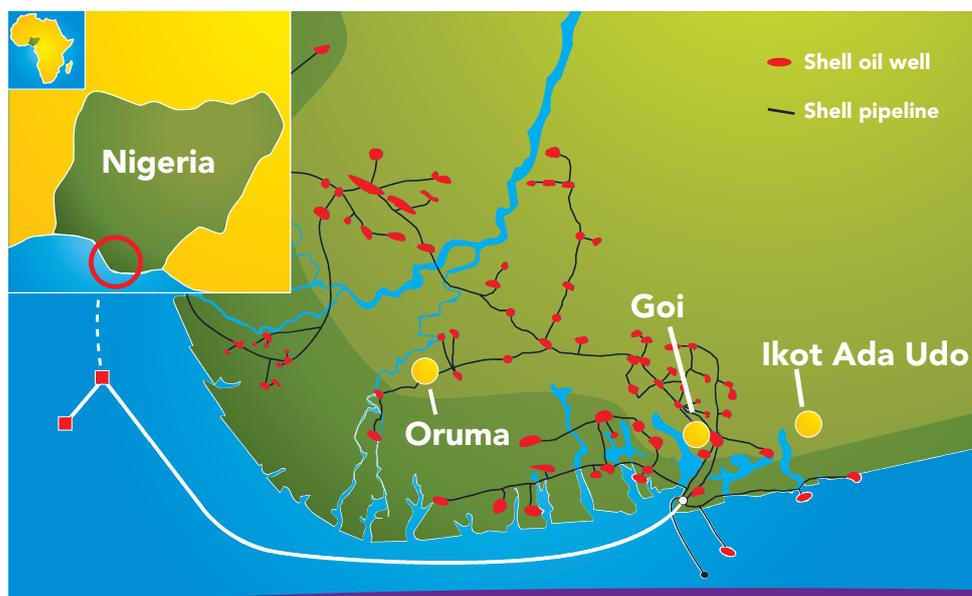
MILIEUDEFENSIE/ALBERT TEN KATE

By means of three lawsuits, Milieudefensie, its Nigerian sister organisation ERA and four Nigerian farmers and fishers are holding both Shell Headquarters and Shell Nigeria (Shell Petroleum Development Company of Nigeria – SPDC, a subsidiary of Shell) liable for the damage that oil spills have caused in their villages. They believe that a Dutch company with an annual profit of 20 billion dollars should not be able to escape the impacts

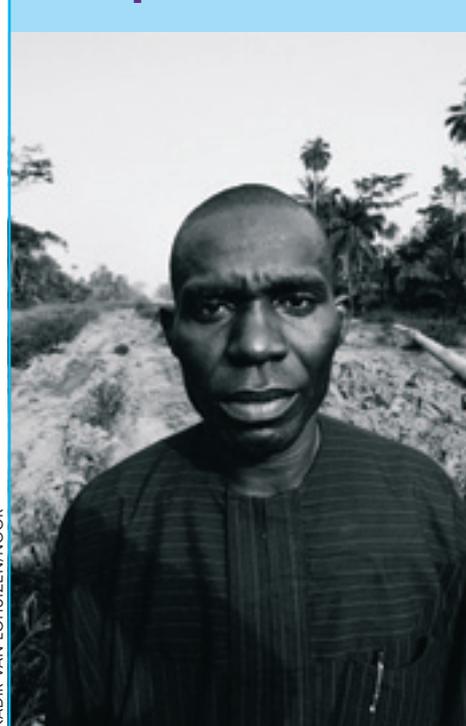
of its activities. This factsheet details the Oruma case.

## Damage from the spill

On 26 June 2005 a security company contracted by Shell to oversee the local pipelines discovered an oil leak from a Shell pipeline near Oruma, Bayelsa State, Nigeria. The oil spilled into the many fishponds where Alali Efanga and Chief Fidelis A. Oguru of Oruma bred young fish into thousands of adults. All marine life in the ponds – fish as well as lobster, oysters, crabs and shrimp – were killed, meaning that the villages were deprived of food and income for many years. Surrounding the fishponds were hundreds of economically valuable trees: rubber, oil palm, fruit and wood species such as abara, afarra



## The plaintiffs:



KADIR VAN LOHUIZEN/NOOR

## Alali Efanga – Oruma, Bayelsa State, Nigeria

Alali Efanga was born on 17 August 1980 in Oruma. In 2001 he inherited the fishponds of his late father, which would have provided him with income. An oil spill in June 2005, however, has caused these ponds to remain unproductive up to the present.



BRIAN SHAAD

Pollution in Oruma

and mahogany. These trees also died or stopped bearing fruit as a result of the oil pollution and, surprisingly, the clean-up activities that took place a few months after the spill.

*Alali Efanga: 'I inherited the fishponds from my late father. I lost my income due to the oil spill. Now we are struggling to make ends meet. Sometimes I go into the bush or I do odd-jobs for a company for 500 Naira (three euros) per day.'*

### Twelve days long

The oil spill occurred during the rainy season. In part due to the rain, oil spread quickly through the creeks and forests. The oil finally flowed into Kolo Creek, the creek that provides the village of Oruma with its drinking water. Bordering villages such as Obedum and Otusega also found oil in their adjoining creeks. But Shell did not stop the oil flowing through the pipeline during the twelve-day spill, whereby oil continued to leak from the pipeline.

### The inspection team

On 7 July 2005 Shell stopped the leak and representatives from the village, the government and Shell set up a joint inspection team to investigate the cause. The team had to dig deeply into the ground to reveal the oil pipeline: they could see the pipeline at a depth of three metres. The hole appeared to be on the underside of the pipeline, a fact which makes Shell's defence that sabotage was involved extremely implausible.

Why would saboteurs dig deeper underneath the pipe to make a hole, when it would be easier to sabotage the top of the pipe?

According to Nigerian law, oil companies must pay compensation to a community for damage done by a spill that can be attributed to the oil company. Shell however has never paid any compensation. Shell announced that it would carry out a computer analysis to determine the cause of the spill, and then report back on the results. The results however were never released. No clear photos were taken of the alleged drill-hole.

### Clean-up?

Shell hired a contractor for the clean-up, in October/November 2005, four months after the spill occurred. Dozens of large pits were dug, some directly beside the fishponds. The polluted soil was brought there and set on fire. The fires seriously damaged the trees in the area. The contractor also set polluted soil on fire without first digging holes, which destroyed a number of trees with economic value.



ALBERT TEN KATE

Burned-out pit following clean-up

*Chief Fidelis A. Oguru: 'The clean-up operation was inadequate and even counter-productive. Following the operation, the fishponds still contained the oil that had killed all the fish.'*

### Still no fish

There are still no fish swimming in the fishponds of both victims. The fisheries in this part of the forest have been abandoned

## The plaintiffs:



KADIR VAN LOHUIZEN/NOOR

### Chief Fidelis A. Oguru – Oruma, Bayelsa State, Nigeria

Chief Fidelis A. Oguru was born on 10 October 1948 and was one of Oruma's village chiefs. He is now retired and currently earns most of his income from fishing and agricultural companies. He also suffered grave damage from the oil spill June 2005.

because the vulnerable young fish still cannot thrive in the polluted water.

*Chief Fidelis: 'We want compensation from Shell Headquarters for the damages suffered.'* *Alali Efanga: 'We want Shell Headquarters to take responsibility. That is why we are ready to bring this case to the Dutch courts.'*

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