

The letter to the Editor

Oil workers likely to welcome an oil embargo

from Prof. Terisa E. Turner

The excellent coverage by DELTA of the Ogoni and other indigenous peoples' struggles in Nigeria against Shell is most welcome. I wish to comment on claims in the article by Tgeo, 'From Bonny to Baglan Bay', that Nigerian oil workers would be adverse to an oil embargo against Nigerian oil.

Firstly, there is no reason to assume this adversity. Not only did two Nigerian oil workers' unions go on strike for ten weeks in July-September 1994, but they also supported in very concrete ways the oil embargo against apartheid South Africa from the mid-1970's. From 1975 to 1990, all Nigerian governments in power declared that the country supported the United Nations General Assembly call to halt oil exports to South Africa; but it was oil workers themselves who monitored and enforced the oil embargo.

For example, in the mid-1980's they copied lists of tankers which called at loading points and determined whether any of the vessels had called at South African ports in the previous year. Tankers so implicated in sanctions busting were not loaded with crude in Nigeria. The oil workers rejected out of hand the apartheid propaganda that an oil embargo against the racist regime would hurt ordinary South African citizens. They also cast unwanted light on corrupt petroleum sales by Nigerian middlemen, where 'private' sales of state-owned crude put Nigerian oil in the hands of notorious sanctions busters such as Marc Rich.

In the 1994 strike, oil workers sought to shut down production. They succeeded in halting as much as 25% of output and forced Shell and some other companies to declare 'force majeure' as reason for their inability to fulfil crude loading contracts. In short, Nigerian oil workers tried, in this historic strike, to embargo the government's and private corporations' exports. Many remain in jail to this day. It is likely that they along with millions of other Nigerians would welcome an embargo on oil exports which would readily force the dictatorship to its knees. Such an embargo has to be considered within the context of the increasingly sophisticated shut-ins of oil production by villagers, some of whom must also have experience inside the industry. National strikes in oil, and the frequent shut-ins by indigenous peoples in

the oil belt are the internal counterparts of external oil embargoes. Both have the effect of denying funds to the regime and to the private transnationals which have made super profits from environmentally unacceptable production for more than 40 years.

Direct sale and barter

The second theme which needs development in discussions of Nigerian oil struggles is the direct sale of crude oil and products by oil workers themselves, in solidarity with popular, democratic organisations of Nigerian citizens. A key question is the extent to which striking oil workers in 1994 considered selling the oil they were denying to Shell, Mobil, Chevron, Texaco, Agip, Elf and the Nigerian National Petroleum Corporation. Such direct sales will almost certainly be on the agenda in the near future. They would be among the most effective weapons in disempowering the oil transnationals and the dictatorship. Direct sales do require buyers willing to risk the ire of established market actors, most notably the oil majors. The buyers might range from revolutionaries needing alternative oil supplies, to parties seeking to barter what they have for Nigerian crude and products.

Any strategic planning for fundamental political and social change must centralise the issue of energy supplies. The possibility of surviving an oil blockade through accessing Nigerian or other supplies would be a major source of encouragement for actors seeking such fundamental change. In such a situation, an international oil embargo against Nigeria would be transgressed by both popular forces in Nigeria and trading partners willing to buy or barter with these popular forces.

Such direct deals between producers and consumers not only cut out the transnational middlemen but they also open the way for direct dealers to repudiate debt. Popular forces in control of oilfields may directly exchange oil for barter goods or money and decline to allocate receipts to the International Monetary Fund, the World Bank and private banks which have extended loans to the dictatorships which popular forces are trying to replace. Study of these strategic options should include a close review of the massive 'counter trade' in oil in the early 1980's which led up to the price collapse of 1985. At one point a full quarter of the world's traded crude was being bartered.

Reporting on the Ogoni struggle against Shell in Nigeria must transcend the litany

of 'big tribes against little tribes' to treat the political economy of petroleum. Central to this political economy are first, the theme of an oil embargo imposed from inside by Nigerian oil workers and oil communities and from outside by allies of popular forces; and second, the theme of direct oil sales by those who establish control over this strategic resource.

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News and background on Ogoni, Shell and Nigeria

Delta # 3 October 1997



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Oil chaos in Warri

Recent attacks on oil installations and widespread ethnic violence have rocked the Niger Delta, claiming the lives of 200 people, destroying whole settlements and causing damage estimated at \$50 million.

Frustration had been mounting in the oil producing communities about the lack of infrastructural development and continuing poverty in a region which provides most of the country's wealth. The people's inability to influence a distant, uninterested government, coupled with the disruption and distortion of the social fabric by oil companies, had compounded the tension felt by the marginalised communities. The relocation of a local council office from an Ijaw to an Itsekiri town sparked the crisis: Ijaw youths occupied flow stations in the oil rich Warri area, and a descent into ethnic violence began, lasting from March until May.

Ijaw council relocation

The Ijaws are the fourth largest ethnic group in Nigeria, with 3 million people spread over five southern states. Although much of Shell's oil production is on their land, the Ijaws are marginalised by nature of being a minority in all but one state in the Niger Delta and because oil company investment, negligible though it is, has been concentrated outside of most Ijaw communities. Warri town, which the Ijaws claim as theirs, hosts the western zone operational headquarters of Shell, Chevron and Texaco, and here the Itsekiris have sustained a political and economic advantage gained during the colonial period and particularly approaching Nigerian independence in 1960.

Being numerically dominant in the Niger Delta, however, and keen for political recognition and self-determination, the Ijaws have a great potential to disrupt the company's flow of oil and the regime's flow of cash, something which the latter two are acutely aware of. Their mobilisation in Nembe in 1993-4 forced the regime and Shell to negotiate with them. The trade-off was the creation of new council areas under Ijaw control, thus giving the Ijaws the illusion of more power and bringing in a little money from the federal government.

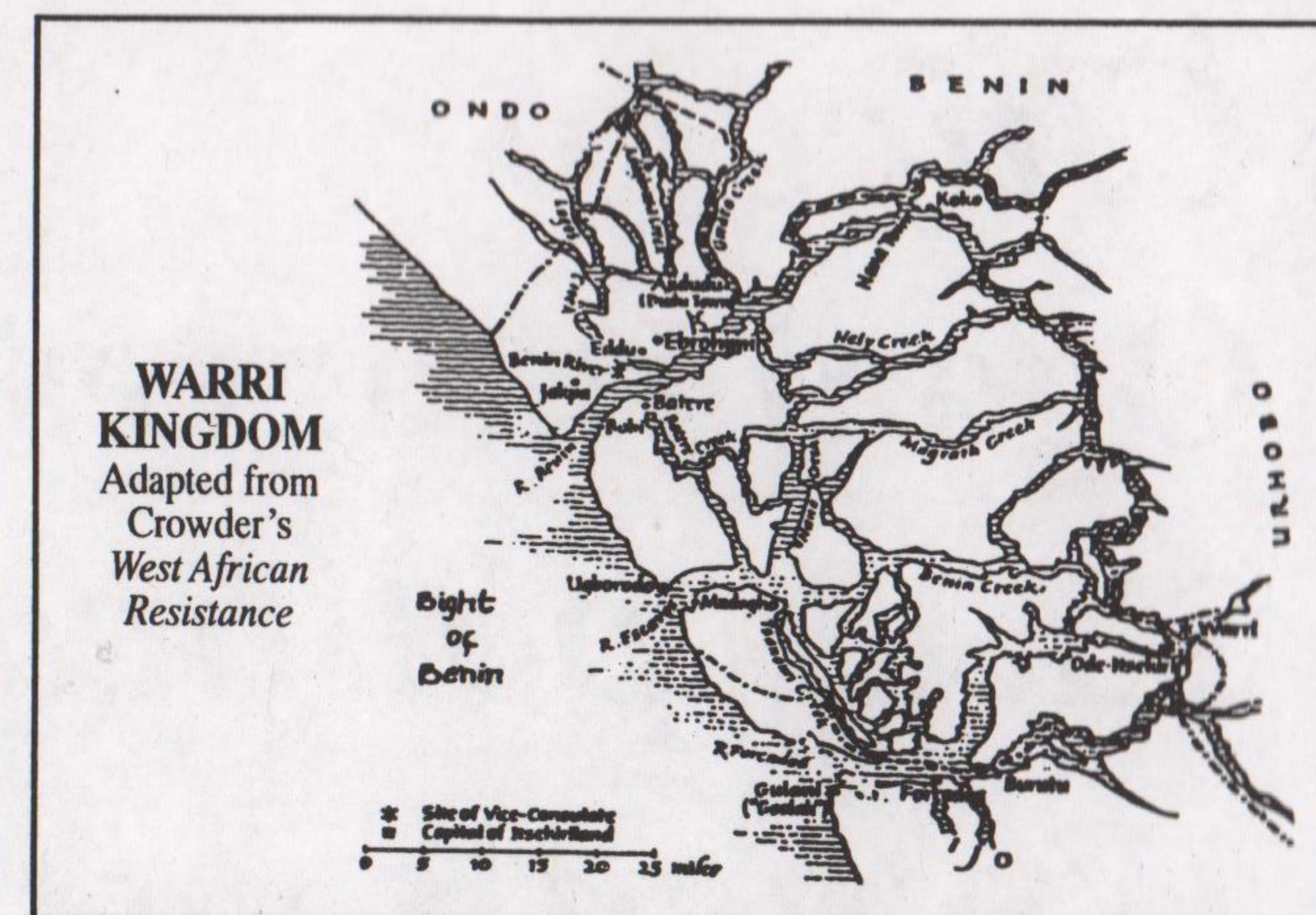
In December 1996 'Warri Central' was created by the Federal government, with headquarters in the deprived Ijaw town of Ogbe Ijoh. The regime tried to favour the Ijaws by locating the offices in Ogbe Ijoh, and at the same time favour the Itsekiris by using the name 'Warri', their power base. The Ijaws successfully built the

headquarters and the administration began functioning. But the Olu (King) of Itsekiri, known to non-Ijaws as the Olu of Warri, pushed for the offices to be moved to his territory to stop the Ijaws asserting their influence.

Nationwide local council elections were held on March 15 this year. At the same time, with ethnic tensions high due to the voting, the military administrator of Delta State, Col John Dungs, announced changes to the council area: some Itsekiri areas would be included and the headquarters would be relocated from Ogbe Ijoh to the Itsekiri village of Ogidigben - effectively turning the Ijaw council into an Itsekiri one. The Ijaws were furious and vowed to fight until "the last drop of our blood."

Shell flow stations seized

In a carefully-planned attack, up to 100 Ijaws overran, occupied and shut down six Shell flow stations in protest, and rapidly took control of the surrounding creeks. Oil production was cut by 90,000 barrels per



day (bpd), 10% of Shell's output from Nigeria and nearly 5% of the country's total, forcing Shell to declare force majeure. 127 Nigerian workers were taken hostage and some beaten in the occupations before negotiations secured their release from the Jones Creek and Egwa flow stations over the following week.

The Itsekiris reacted by attacking Ijaw businesses and buildings in Warri town. They burnt down the homes of several Ijaw leaders including former Information Minister Edwin Clark, whose bodyguard was killed, and destroyed a market. Ijaws

then went on the rampage in the riverine areas, ambushing boats carrying oil workers and taking over the waterways completely. Supplies to Shell and Chevron were cut off, with the latter forced to shut down three of its flow stations for a weekend.

Youths from both sides then started attacking each other's settlements in a spiral of violence. The Ijaws burnt down and destroyed Ugbuwagwo, Gbogodo and Ebrohimi, killing five and kidnapping an oil service company site manager, and Itsekiris burnt down several villages and kidnapped and killed Ijaws living or working in their midst.

At the same time in the oil-rich east of the Delta another five flow stations in the Ijaw region of Nembe were occupied by villagers protesting at local council changes there. This riverine area is particularly under-developed and potentially very explosive. Shell's shortfall rose by another 120,000 bpd to 210,000 bpd, and shares in the company dropped slightly due to concerns about its operations in Nigeria.

Curfew imposed

Paramilitary police deployed to deal with the situation in Warri were disarmed by the youths, who had more sophisticated weapons than them. Both ethnic groups were well-armed, with the Ijaws reported to have light assault rifles, grenades and rocket launchers. The government then sent in a high-level delegation, including Naval Chief Rear Admiral Mike Akhigbe of the regime's Provisional Ruling Council, and warned that any further protests would be crushed, with rioters shot on sight if necessary. A dusk to dawn curfew was imposed on Warri town from March 28, security was stepped up and 500 police sent to guard the oil installations. Shell provided refuge to some workers and called on the navy to evacuate to Warri 2000 Itsekiris from the Ijaw-dominated oil town of Forcados.

According to Africa Today, government plans to deploy the army to protect oil installations were opposed by the oil companies, particularly Shell, who wanted soldiers to stay in the communities. The company is sensitive to accusations of working behind a military shield in the oil

producing areas, and felt that communities might attack the soldiers who would retaliate by killing villagers. This would bring Shell into direct opposition to the communities and escalate the conflict further.

But this scenario was dismissed totally by Nigerian activist Ike Okonta: "That is classic PR rhetoric from Shell, far removed from the reality of the situation. Shell knows that only force will keep these youths down. The army was needed to smash them."

Violence spread to the nearby towns of Forcados, Sapele, and Egbe in Edo state, and with Warri town under curfew, the surrounding creeks and waterways again became the focus of activity. Gradually an uneasy calm started to fall on the area.

Renewed violence

Shell managed to resume almost all its operations, but as the curfew was lifted on April 12, riots began again in Warri and nearby, with both ethnic groups attacking each other's houses and settlements. Shell decided to shut down its oil wells situated between Warri and Forcados, declaring force majeure for a second time within a month.

With news of more villages being sacked, Itsekiri elders in Koko had to restrain the youths from attacking Ijaws living in the town. By mid-April the Ijaws were forced to leave. They returned three days later, and with dynamite, petrol bombs and automatic weapons blew up and burnt down Itsekiri houses and part of the hospital. An Itsekiri leader was axed to death and beheaded, and two others killed. The Ijaw village of Oromoni was stormed and an 82 year old woman, unable to run away, was caught and burnt alive at a stake for being the mother of "troublesome Ijaw youths". 80 Itsekiri youth attacked Ikpoko with guns, cutlasses and petrol bombs and killed 44 Ijaws. Two others were killed in a creek and one at Chevron's base at Escravos. Further attacks were launched from the creeks and waterways.

Warri town saw street fighting and battles, with armed youths killing at random and burning down leaders' houses and businesses. Several women were abducted and two policemen were reported killed. The market was destroyed and the police station attacked after police protected Ijaw women traders. Up to 100 people were killed in one week. State radio reported

mass arrests of suspected rioters, with over 600 held at one point.

The army and navy were called in at the end of April. Soldiers patrolled the streets and occupied key sites, including the oil installations, and a warship was deployed. But they had difficulty bringing the situation under their control. Both the Ijaw and Itsekiri fighters had former military

economic mainstay was being threatened. And based on discussions with the oil companies, severe punishment of individuals who damage oil installations will be ensured.

The Warri oil refinery, one of only four refineries in the country, was closed by the government at the beginning of May due to continuing disturbances, giving rise to the

'Nothing to do with us'

Shell asserts that the unrest in the Niger Delta has nothing to do with them, and Chevron says it is neutral, caught up in disputes not of its making. Many would disagree. "The problems in the Delta have everything to do with the oil barons. It is they who are plundering the resources from the people. It is they who keep the oppressive regime in power, with all the associated violence and poverty, and who have worked with successive regimes to legislate for easy theft of resources. And it is they who have polluted land, rivers and creeks and destroyed a sustainable culture," says one observer. These are the condition that gave rise to the recent unrest.

"The companies distort and rot the social fabric of the environment" by their very presence. Even the spokesman for Delta State Government, Austin Iyashere, blames the oil industry for the area's general problems, accusing the companies of giving money directly to corrupt, influential individuals rather than developing the communities. The Olu of Itsekiri is very close to the regime and known to be in the pocket of Chevron, for example.

There is also clearly an element of genuine rebellion from the youths, if not yet true resistance. Representing authority and wealth in the area, the oil companies are seen as legitimate targets both in themselves and as institutions closely linked to the government. For some, the oil companies are the government.

"The whole area is neglected. The youths have had few opportunities in society and can't see a future. They are angry and they are armed. Shell and Chevron were hit at first and the junta was forced to respond, but now they are lashing out at anyone," Okonta said. "Their energy is needed if we are going to change anything in Nigeria. But it must be directed at the right targets, and at the right time. Tribal conflict must be avoided."

officers amongst them, forcefully retired from the army in mid-career, and their military skills, the sophisticated weaponry being used, and the people's knowledge of the local terrain defeated most of the military's efforts.

On land, poor roads hindered the army's activity. In the water, the creeks were often too shallow for the naval assault craft, while the groups used small high-speed motor boats. One heavily-guarded naval vessel was reported to have had its propellor removed by an Ijaw diver who swam underwater for over half a mile to sabotage it.

Severe punishment for oil saboteurs

Shell claims that oil installations were sabotaged. Petroleum Minister Dan Etete ordered that "community leaders should restrain their youths who have formed the habit of vandalising extremely expensive oil equipment and machinery," and warned that the government "will not tolerate a situation where every political grievance is taken out on the oil installations and operations of oil companies." According to Nigeria Today, the oil companies had complained at the ease with which Nigeria's

beginnings of a fuel shortage. Tankers were also unable to load up because of the dangers of sailing on the River Escravos, which links Warri to the Atlantic. The government gave an assurance that ships would be protected, and made moves to re-open the refinery.

As violence subsided, the Ijaws and Itsekiris exchanged accusations and angry words. The Ijaws accused the Itsekiris of bribing military personnel to kill them, and the Itsekiris claimed that 1000 of them had been killed and 3000 injured since March, with over 15 settlements attacked or destroyed.

Col John Dungs launched a Judicial Commission of Inquiry into the fighting, which held its first sitting in the Delta State capital Asaba. Two weeks later, however, the Itsekiris withdrew from it after fresh violence erupted over ownership of market stalls in Warri. At least 24 more Itsekiri buildings were destroyed and 16 Ijaw youths and two Itsekiris killed. Both Ijaw and Itsekiri police were subsequently withdrawn from the area and transferred to elsewhere in the Niger Delta. The inquiry is continuing.

Directing resources

The regime is keen to divert the people's anger into ethnic conflict which it continues to foment through territorial manipulation and other political games. And many see the oil companies' role in the unrest equally as active and conspiratorial: Moffat Ekoriko in Africa Today writes, "Another government official claimed that the oil firms deliberately polarised the groups in the area as a check against the formation of a common front to fight them over acts of environmental spoilation."

London-based Nigerian activist Ike Okonta told DELTA, "The state doesn't want another MOSOP, with a defined target and a clear vision. So the ethnic groups must be pitted against each other, even provided with arms." The Ijaws accuse Chevron of providing the Itsekiris with weapons and logistical support. "It's a high-risk strategy, but the stakes are even higher: the survival of the regime and continuing profits for the oil companies."

Preliminary investigations by Environmental Rights Action (ERA) into the Warri crisis suggest that some of the villages were burnt down not by genuine Ijaws or Itsekiris but by 'unknown persons' - that is, agents of the State. Such a strategy was used by the regime and Shell to try to subvert the Ogoni struggle: in 1993-4 soldiers and agents posing as Andonis attacked and killed hundreds of Ogonis with logistical support from the company. These were characterised as 'ethnic clashes.'

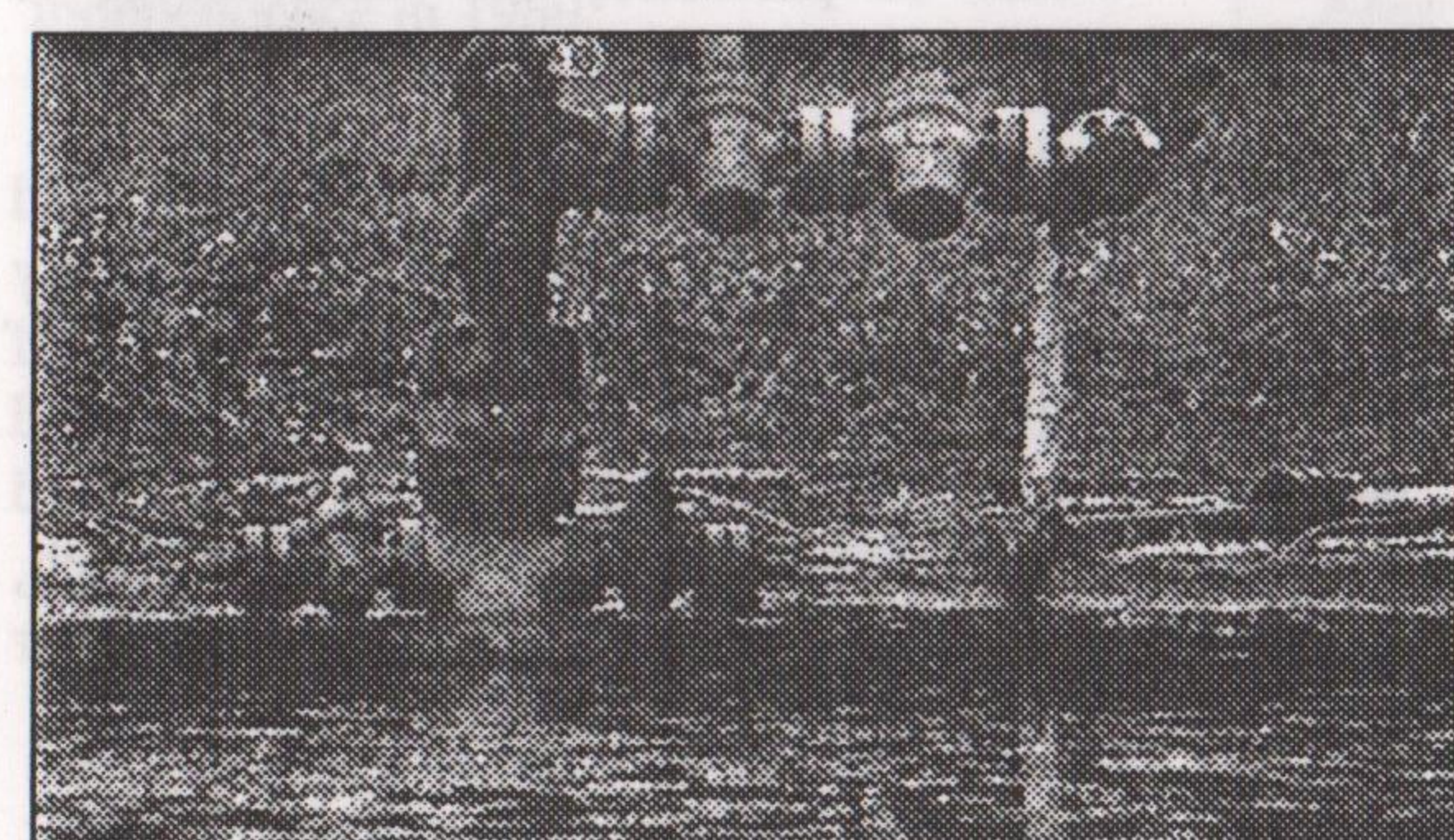
When major disorder looms or with oil production seriously threatened then the army is sent in. The Free Nigeria Movement's Commission on Justice initiated a dialogue between leaders of the Ijaw, Itsekiri and Urhobo ethnic groups in early May to address the killings. The consensus that emerged was that the clashes were "orchestrated by subterranean elements working for the Abacha military junta in order to create discord and panic", and thereby legitimise his rule "under the pretext of maintaining law and order." This would turn "yet another oil producing area into a militarised zone for the unhampered flow of Nigeria's oil through multinational corporations such as Shell Oil, Texaco, and Chevron."

And indeed, by mid-August the regime had announced that the military presence in the Nembe area of Bayelsa state would be re-inforced, with systematic patrols of the creeks. This further militarisation of the Niger Delta, known as 'Operation Salvage', was announced by the Military Administrator of Bayelsa state, Naval Captain Caleb Olubolade, in the presence of the oil companies themselves.

Renewed action against Shell

Non-violent protest specifically targetting Shell elsewhere in the Niger Delta began just as the Warri crisis subsided.

Told by a Nigerian court at the end of June to pay 30 million naira (\$350,000) compensation for a 1982 oil spill from the trans-Forcados pipeline, the company refused to pay, saying that the spill had



been caused by sabotage and that it would appeal against the judgement. It also claimed to have cleared up the oil spill.

But environmentalist Uche Onyeagucha told DELTA that Shell's increasing use of the word 'sabotage' is simply a ploy to avoid paying compensation to communities suffering the effects of spills from the rusting equipment and pipelines. Shell has not initiated any sabotage claim in court,

and furthermore, the oil spill was only cleaned up 'Shell-style' - that is, ineffectively and irresponsibly. Appeals are likely to take many years.

The four affected Ijaw communities, Sokebolou, Obotobo, Ofoegbene and Ekeremor Zion from the Burutu local council area in Delta state, gave Shell an ultimatum to leave the oil producing area by July 8, or be forced out. Local newspapers said the communities also complained that Shell had not provided local people with any benefits from the 75,000 bpd it extracts from their land. "Shell must go if it does not change her shameless stand of disregard for the goose that lays the golden egg in this nation," ThisDay quoted the Ijaws as saying.

Hours before the deadline expired, the leader of the community was arrested by the State Security Service (SSS). "Worried that the said payments will encourage other legitimate compensation demands, Shell has alerted the security forces and this morning Mr Matthew Eregbene has been whisked away," said a spokesman for the Niger Delta Oil-Producing Communities Organisation (NIDOPCODO). Shell denied involvement.

Chief Eregbene was released the next day.

According to Nigeria Today, it is believed that Shell had offered to pay 5 million naira to community leaders to settle the matter. Locals are reported to have reminded their leaders never to consider compromising the interests of the community, and the bribe was rejected. After meetings with Shell and the military, however, the communities decided to put any action on hold.

A further meeting on July 28 between Shell and the communities failed because the company tried to pressure the communities through locals who had contracts with Shell, according to NIDOPCODO. They "were hand-picked and brought to the venue by Shell to create confusion."

Having waited 15 years for the initial court case to go through, and now facing an appeal of any number of years, the communities are demanding that there is no further extraction of oil from the wells in the area until the determination of the appeal.

At a press conference in Nigeria, Shell insisted on continuing with the appeal and refused to stop extraction. Further spills have since continued to occur. Environmental Rights Action (ERA) supported the communities' demands, saying, "We appeal to Shell to stop all oil and gas production in the four communities as it proceeds on appeal." The activists warned that unspecified action would be taken against the company.

Oil producing communities unite at rally

In a gathering which cut across ethnic divisions, over 1000 people from across the Niger Delta rallied on August 17 at the remote village of Aleibiri in Bayelsa state, site of a pollution incident that Shell has refused to clear up.

Repeated requests by the Aleibiri community to address the pollution on its land, caused by a spill six months ago, had been met by intimidation from armed military and mobile police, according to a community representative.

In a highly significant development for the Niger Delta, a new non-violent environmental and minority rights movement, 'Chicoco', was formally launched at the rally. Chicoco is named after the rich soil that helps sustain life in the Delta area, and its representatives from across the Delta demanded immediate action from Shell on oil spillages and called for the company to leave the area.

The rally was attended by hundreds of local people and representatives of communities from Rivers, Delta, Edo, Akwa Ibom and Ondo states, uniting different ethnic groups who all suffer from environmental rights abuses by oil companies, particularly Shell. Chief Augustine Anthony for the host community welcomed all the delegates, saying that their community was home to "all other peace-lovers, especially those from other parts of the Niger Delta."

Those from outside the area arrived in canoes, singing what translates as: "We are tired of this oppression. We say no to Shell. We say no to hell," according to the Guardian newspaper in Lagos.

Chief Anthony said, "The struggle for justice for people will be realised in my lifetime. For 40 years we have bore the pains of pollution, the brutality of the unjust system. We shall unite to fight for equality, fairness and justice. The time is now. You are welcome."

MOSOP spokesman Patrick Naagbantou urged the people to stand firm and be consistent in fighting for their rights. Other

messages of support came from MORETO (the Movement for Reparations to Ogbia), the Women's Liberation Movement in Ijaw, Environmental Rights Action, the Democratic Alternative, and Oilwatch International (Africa).

Spokesman for Chicoco, Oronto Douglas, called for the "solidarity of all oil producing

And he added, "If they do not accept the path of dialogue we will close down the flow-stations and if they hide under a military cloak to repress us then we will resist."

Outreach across the Delta is currently building the movement, and further rallies of up to 50,000 people are being planned as

'Enough is enough': the birth of Chicoco

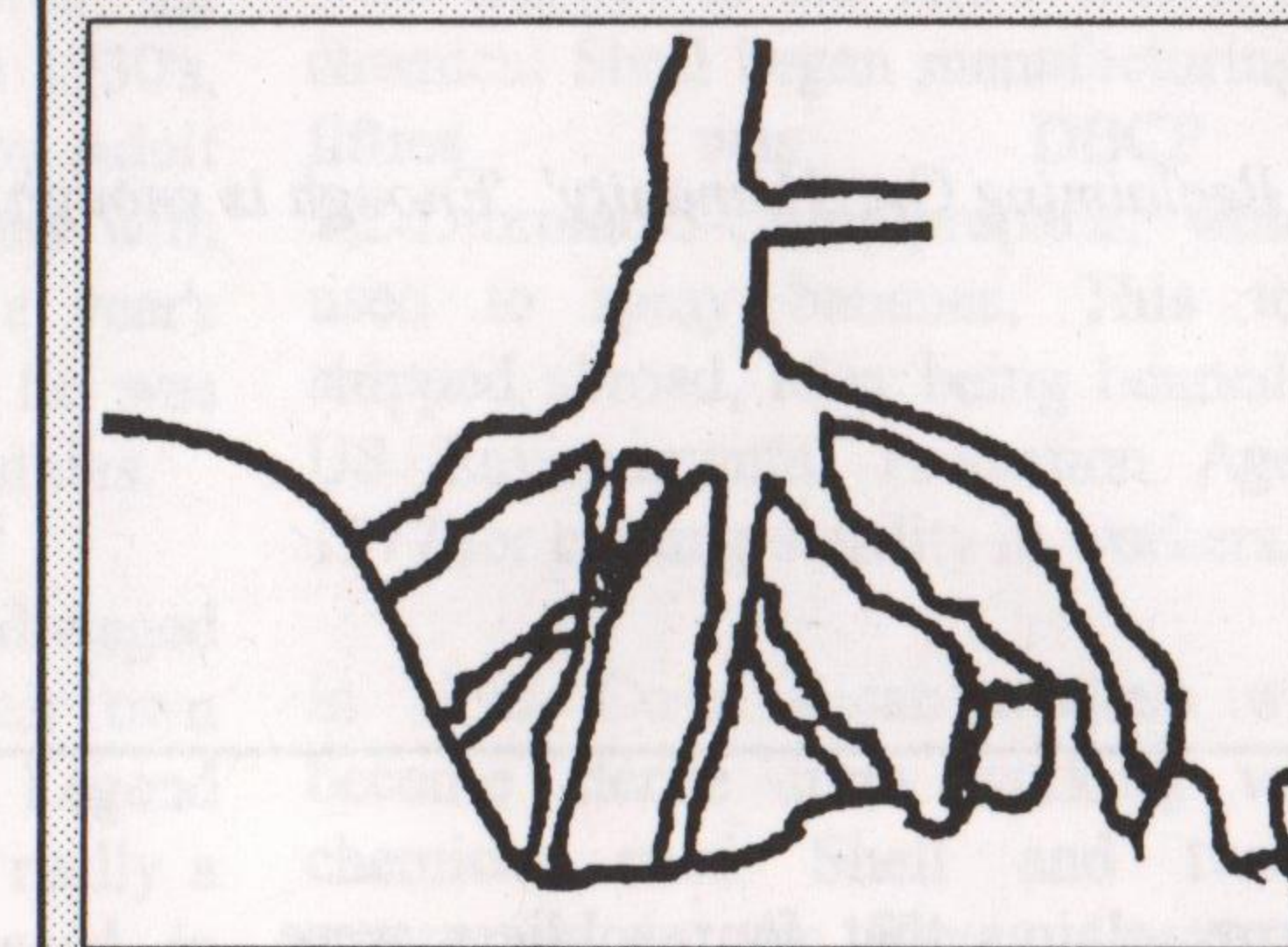
"Now is the time to reclaim our destiny and humanity. We must defend our eco-system and means of subsistence from further devastation and looting." - *Chicoco*

The birth of the Chicoco movement marks the beginning of new chapter in the politics of the Niger Delta. The oil companies and federal government have often managed in the past to use divide-and-rule tactics to keep groups fighting amongst themselves, or to rely on the indifference of one group regarding another's plight. MOSOP fought alone within the Delta, but its example had begun to be emulated as early as 1993. Chicoco is a new basis for Delta-wide resistance, putting the environmental message clearly with the political framework. The rally at Aleibiri successfully brought together people from different areas and different ethnic groups, creating the potential for mass united action.

According to its literature, "The Chicoco Movement is a representative mass organisation for the defence of the rights of the ethnic minority nationalities in the oil rich Niger Delta area... a proclamation of the struggling unity of these ethnic nationalities against our common oppressors." These are seen as the Nigerian State and the Nigerian elites from both North and South, along with "their transnational oil corporation collaborators."

"The Chicoco Movement is the expression of the historical struggles of the peoples of the Niger Delta area at the present time for social justice, corporate social responsibility, resource and environmental control, and self-determination."

Chicoco says it recognises and supports the struggles of all nationalities and groupings within Nigeria in their struggle for survival, welfare and development, and calls for co-operation. It specifically acknowledges the poor conditions of oil workers and the "muzzling" of the unions, and is "now set to promote a new spirit of solidarity between the peoples of the Niger Delta and the oil workers".



"Chicoco is the organic soil commonly found in the Niger Delta. It is on it that the mangroves grow. It is also home to a variety of sea food. The soil protects the shoreline and it is used by the people to build dwellings and protective embankments, and to reclaim degraded lands. To the people of the Niger Delta, Chicoco is a balm."

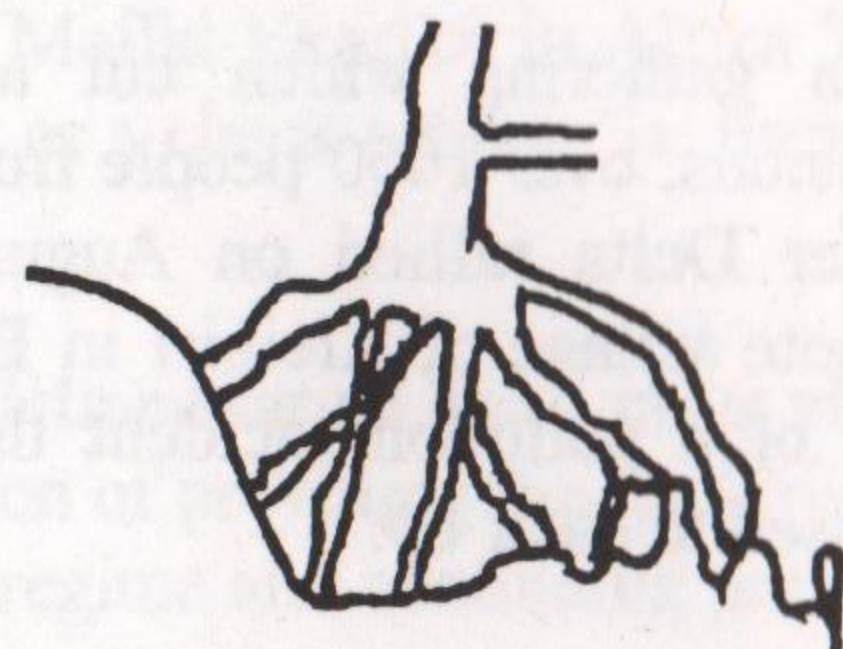
communities in the Niger Delta," and said that pressure on Shell was being stepped up "to compel the oil companies into very serious dialogue beyond the realm of public relations that has been the hallmark of these multinationals."

more communities want to be associated with the Chicoco movement. "The killing of Ken has brought about the emergence of a lot of radical environmentalists across the Niger Delta," said Uche Onyeagucha.

Shell / government reaction to Chicoco

Privately Shell has expressed its concern at these recent developments, and has started thinking about what it can do about key individuals involved. The company still thinks that if it can 'take out' or make a deal with certain people then the problems will go away. It cannot and will not appreciate that it needs to change its performance and show respect to the people of the Niger Delta.

Soldiers from the Operation Salvage taskforce attacked the fishing village of Ekeremor-Zion on September 30, killing one and arresting 58 others. According to witnesses, 14 houses and 20 boats were destroyed. The attack came at the same time as another on Ogbe Ijoh market which killed three and has led to more militarisation and people fleeing Warri town.



Chicoco demands:

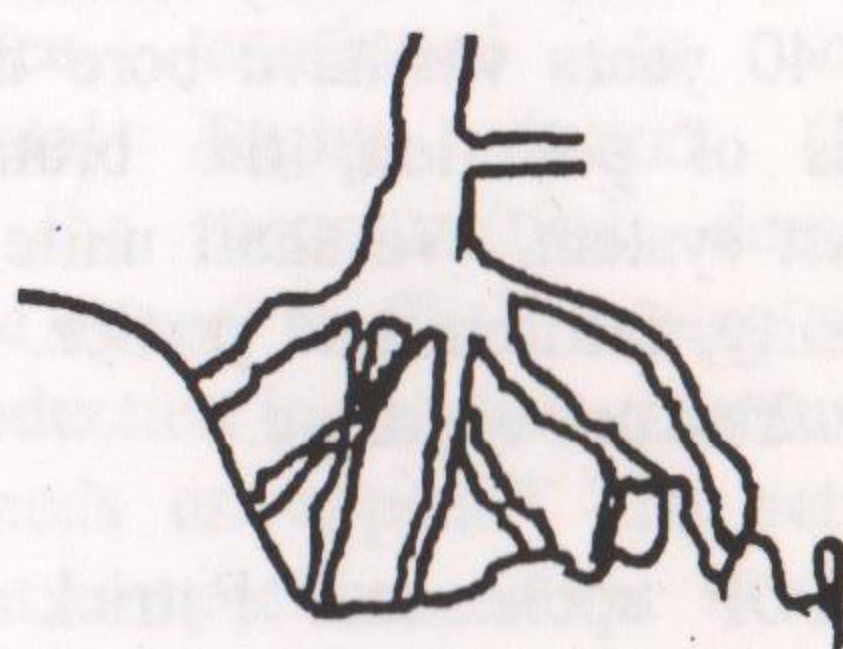
- ◆ An end to the ecological devastation of the Niger Delta by transnational oil companies and the Federal government
- ◆ Reparation and compensation to the peoples of the Niger Delta for the damage done by reckless oil and gas exploitation activities
- ◆ An immediate demilitarisation of the Niger Delta communities and an end to the use of oil companies' private armies
- ◆ Respect for the fundamental human rights of our people, particularly the rights to freedom of expression, association and conscience, and the immediate release of all prisoners held in connection with the demands of the oil-producing communities
- ◆ The abrogation of all obnoxious laws like the Oil Minerals Act (1969) and the Land Use Act (1978) that rob our people of the right to control our land and mineral resources for sustainable development of the area
- ◆ The stopping of the *ad hoc* creation of new Local Government Areas and states.
- ◆ A new democratic Nigerian constitution recognising and enshrining the right to self-determination for the nationalities of the Niger Delta, with the unity of Nigeria preserved by a genuine and just federation of ethnic nationalities
- ◆ An independent Sovereign National Conference composed of elected representatives of all the organisations of the people, including minority nationalities, workers, students, youth, women, military formations, etc, to discuss the basis and nature of the new Nigerian union, particularly how it affects resource distribution and ethnic nationality

Aleibiri / Yenagoa, Niger Delta, Nigeria
August 1997

Adapted from 'The Chicoco Movement... Reclaiming Our Humanity', 'Enough is enough: a message from the Niger Delta', and from personal interviews.

The military won't accept its lifeline being threatened and cannot understand the difference between self-determination and secession. Of course, with such an incompetent running of the country there are some feelings of secession, but the main issues in the Delta are freedom from pollution, freedom from repression, and the right to self-determination so people can control their own lives and resources.

The army claims that four soldiers were kidnapped last month, with one found dead later. The arrests are meant to be in connection with this incident. Many believe the kidnappings and the death did not happen and that they just provide an excuse for military attacks on the people of the oil producing communities who are prepared to stand up to Shell. The army stated that the soldiers were on 'illegal duty'.



Shell's secret history

Andy Rowell is a freelance environmental journalist who has undertaken pioneering research and written extensively on contemporary environmental issues.

This week, the Shell Transport and Trading Company (STTC), celebrates its 100th Anniversary. From its humble roots in a cramped office in the East End, Shell has become one of the most successful corporations of the century. What we collectively know as "Shell" is in fact over 2000 companies. Last year, the Shell Group's income was a record 5.7 billion, the proceeds from sales 110 billion. "Were our founder, Marcus Samuel, to reappear today, I do not think he would be displeased with what has grown from his efforts", says Mark Moody-Stuart, STTC's Chairman.

As part of the centenary celebrations, the cream of the city are invited to a reception at the Guildhall next week and the Queen will visit the Shell Centre on November 11th. Critics claim the timing of the Queen's visit is slightly unfortunate, coming just one day after the second anniversary of Ken Saro-Wiwa's death. There is even going to be a commemorative book. Whilst it may mention the Shell Better Britain Campaign and even Brent Spar, certain skeletons, smelling of dirty dealing and double-standards, will not be mentioned.

After merging in 1907 with its rival Royal Dutch, the Royal Dutch/ Shell company was formed, whose first Chairman was the Dutchman Henri Deterding. By the 1930's, Deterding had become infatuated by Adolf Hitler, and began secret negotiations with the German military to provide a year's supply of oil on credit. In 1936, he was forced to resign over his Nazi sympathies.

During the early forties, as the world waged war, Peru and Ecuador had their own armed border dispute, based on oil. Legend in Latin America says that it was really a power struggle between Shell based in Ecuador and Standard Oil in Peru. The company left a lasting reminder of its presence in the country: a town called Shell. Activists in Ecuador are seeking to get the town renamed, to Saro-Wiwa.

In the post-war years, Shell manufactured pesticides and herbicides on a site

previously used by the US military to make nerve gas at Rocky Mountain near Denver. By 1960 a game warden from the Colorado Department of Fish and Game had documented abnormal behaviour in the local wildlife, and took his concerns to Shell, who replied "That's just the cost of doing business if we are killing a few birds out there. As far as we are concerned, this situation is all right". But the truth was different. "By 1956 Shell knew it had a major problem on its hands," recalled Adam Raphael in the Observer in 1993, "It was the company's policy to collect all duck

"The possible consequences of man-made global warming are so worrying that concerted international action is clearly called for," said Sir John Collins, head of Shell UK, in 1990. Shell then joined the Global Climate Coalition, the fossil fuel lobby organisation that has spent tens of millions of dollars trying to scupper the UN Climate Negotiations that culminate in Kyoto in December.

and animal carcasses in order to hide them before scheduled visits by inspectors from the Colorado Department of Fish and Game." After operations ceased in 1982, the site was called the most contaminated place on the planet.

At Rocky Mountain, Shell produced three highly toxic and persistent pesticides called the "drins": aldrin, dieldrin and endrin. Despite four decades of warning over their use, starting in the fifties, Shell only stopped production of endrin in 1982, of dieldrin in 1987 and aldrin in 1990, and only ceased sales of the three in 1991. Even after production was stopped, the drins were shipped to the Third World. Another chemical Shell began manufacturing in the fifties was DBCP or 1,2-Dibromo-3-Chloropropane, which was used to spray bananas. This too was shipped abroad, after being banned by the US Environmental Protection Agency in 1977 for causing sterility in workers.

In 1990, Costa Rican workers who had become sterile from working with the chemical sued Shell and two other companies in the Texan Courts. "Even though DBCP is a known carcinogen, Shell and Dow did not take adequate steps to warn the workers about the hazards or consequences of their product," said Ervin Gonzalez, the attorney representing the workers. The case was settled out of court.

Just as people had begun to question Shell's products, so they began to challenge its

practices. In the seventies and eighties, Shell was accused of breaking the UN oil boycott of Rhodesia (now Zimbabwe) and then South Africa by using bogus intermediary companies.

Shell, singled out by anti-apartheid campaigners for providing fuel to the notoriously brutal South African army and police, responded by hiring a leading PR firm to run an anti-boycott campaign. This involved recruiting well-known public figures to promote Shell's position, investigating the "personal characteristics" of key boycott supporters and infiltrating boycott meetings.

By the eighties criticism of its operations was spreading. From Inuit in Canada and Alaska to Aborigines in Australia and Indians in Brazil, indigenous communities were affected by Shell's operations. In the Peruvian rainforest, after Shell conducted exploration activities, an estimated one hundred

uncontacted Nahua Indians died after catching diseases to which they had no immunity.

By the end of the decade, the company's image was suffering in the US and UK, too. In April 1988, 440,000 gallons of oil was discharged into San Francisco Bay from the company's Martinez refinery, killing hundreds of birds. The following year, Shell spilt 150 tons of thick crude into the River Mersey, for which the company was fined a record 1 million.

But by now, the company was responding to growing international environmental awareness. "The biggest challenge facing the energy industry is the global environment and global warming", said Sir John Collins, head of Shell UK, in 1990, "The possible consequences of man-made global warming are so worrying that concerted international action is clearly called for."

Privately, the company had taken its own preventative action on climate change and possible sea-level rise by increasing the height of its Troll platform in the Norwegian North Sea by 1 metre. Publicly, Shell joined the Global Climate Coalition, the fossil fuel lobby organisation that has spent tens of millions of dollars trying to scupper the UN Climate Negotiations that culminate in Kyoto in December. "There is no clear scientific consensus that man-induced climate change is happening

now" the company maintains, two years after the world's leading scientists agreed that there is.

By 1993, as Shell's spin-doctors were teaching budding executives that "ignorance gets corporations into trouble, arrogance keeps them there", 300,000 Ogoni peacefully protested against Shell's operations, only for 2000 to be butchered, and countless others raped and tortured by the Nigerian military. In the Summer of 1995 there was Brent Spar and in November Ogoni leader Ken Saro-Wiwa was executed, having been framed by the Nigerian authorities. At the time Shell denied any complicity with the Nigerian regime, but has since admitted paying the Nigerian military.

This year in Nigeria, the 3 million strong Ijaw community started campaigning against Shell, leading to another military crackdown. "The military Governor says it is for the purpose of protecting the oil companies. The authorities can no longer afford to sit by and have the communities mobilise against the companies. It is Ogoni revisited," says Uche Onyeagucha, Secretary for Foreign Affairs of the Democratic Alternative, an opposition political spokesperson.

In Peru, Shell has returned to the rainforest, a move criticised by over 60 international and local environmental, human rights and Indigenous groups. "Shell has not learnt from their tragic mistakes" says Shannon Wright from the Rainforest Action Network, "they continue to go into areas where there are Indigenous people who are susceptible to outside diseases". Recent analysis by the Peruvian National Engineering University of water samples from creeks near Shell's drilling sites, found levels of hydrocarbons, cadmium and mercury exceeded levels permitted under Peruvian law.

Meanwhile, Shell publicly talks of engaging "stakeholders". It hopes that us, as consumers, will continue to give it a licence to operate. However for each barrel produced the ecological and cultural price increases exponentially. Everyone knows we need to reduce our consumption of oil, however Shell's existence depends on selling more of it. Senior executives are said to be "girding our loins for our second century" because "the importance of oil and gas is likely to increase rather than diminish as we enter the 21st Century". Can we really let that happen?

This article first appeared in the Guardian newspaper (London).

Shell in Nigeria: Scenario planner or adept manipulator of the Nigerian political stage?

Ike Okonta is a Nigerian political journalist. He was part of the team that founded Tempo, the underground tabloid in Lagos which later played a critical role in the forced ousting of the military dictator General Ibrahim Babangida in August 1993. He also worked closely with the late Ken Saro-Wiwa on the MOSOP campaign. **Jedrej George Frynas**, a PhD student researching oil companies at St Andrews university, provides additional information on Shell's political links, scenario planning and Vision 2010.

Ten years after Royal Dutch / Shell struck oil in commercial quantities in Nigeria's Niger Delta in July 1957, civil war broke out in the country. Following the military coup of January 1966 there was widespread massacre of members of the Igbo ethnic group and other southerners in northern towns and cities.

Fed with massive propaganda to the effect that the coup was neither patriotic nor nationalistic but a plot by Igbo military officers to take over the Federal Government, northerners took up cudgels, machetes and rifles and turned against the southerners in their midst. There was a massive exodus of the later to their ancestral homes east of the Niger River. The mass movement of people back to the Eastern Region was to trigger a chain of events which culminated in the declaration by Colonel Emeka Ojukwu, military governor of the Region at the time, of the Federal Republic of Biafra in May 1967. The Federal Government saw this as secession, and refused to recognise the new republic. War broke out between the two sides a few weeks later.

Civil war: oil war

The events leading up to the civil war and its aftermath was to shape the policies and attitude of senior Shell managers toward the country henceforth. Shell's actual role in the bloody war that raged for thirty months

is still shrouded in secrecy but there was no doubt, even at that time, that the multinational was more than a passive observer. The multinational's Nigeria concession was potentially one of the richest. Again, given the close relationship between Shell and the country's former colonial master Great Britain (which had a 40 per cent stake in the company) Shell, along with British Petroleum, had been granted a virtual monopoly over Nigeria's fledgling oil industry. Britain in turn had a chummy relationship with Northern politicians at the time and had adroitly manipulated political developments to put them at an advantage over their southern counterparts whom London regarded as upstarts and troublemakers.

When Britain made it clear that it supported the federal side as soon as civil war broke out - even when all the oil wells were in the new Republic of Biafra, Whitehall was merely being faithful to the script put in place by its colonial governors and district officers who saw the northern emirs and politicians as the natural rulers of the newly independent country. By 1960, Shell-BP had spent about £60 million on the search for oil and Nigeria was already beginning to export a considerable amount of crude. This was a massive investment which could not be entrusted into the hands of an unknown quantity like Biafra whose leaders were, in any case, not exactly loved in Whitehall, and it was therefore important that the Biafra 'rebellion' be quickly crushed and the oil wells made safe.

There was another element at play during the civil war - France. France had lost out to Britain in the scramble for the richly-endowed Niger Delta at the turn of the century. As soon as hostilities broke out between Biafra and the northern-controlled Federal Government, France threw her weight behind the former, no doubt hoping that she would gain a secure foothold in the oil-rich Biafra after things had stabilised. International observers were therefore right when they described the Nigeria-Biafra conflict as an oil war, fought by Shell-BP (Nigeria) on one side and Elf (Biafra) on the other. Indeed, there wouldn't have been any war in the first place if Biafra's Niger Delta were barren desert and not dotted with oil wells. The original intention of the young northern officers who led the July 1966 counter-coup was to pull the Northern Region out of Nigeria, certainly not to force

the East back into the Federation! But then the matter of oil, and Britain's (read Shell's) long-term interest came up, and the ball game changed altogether.

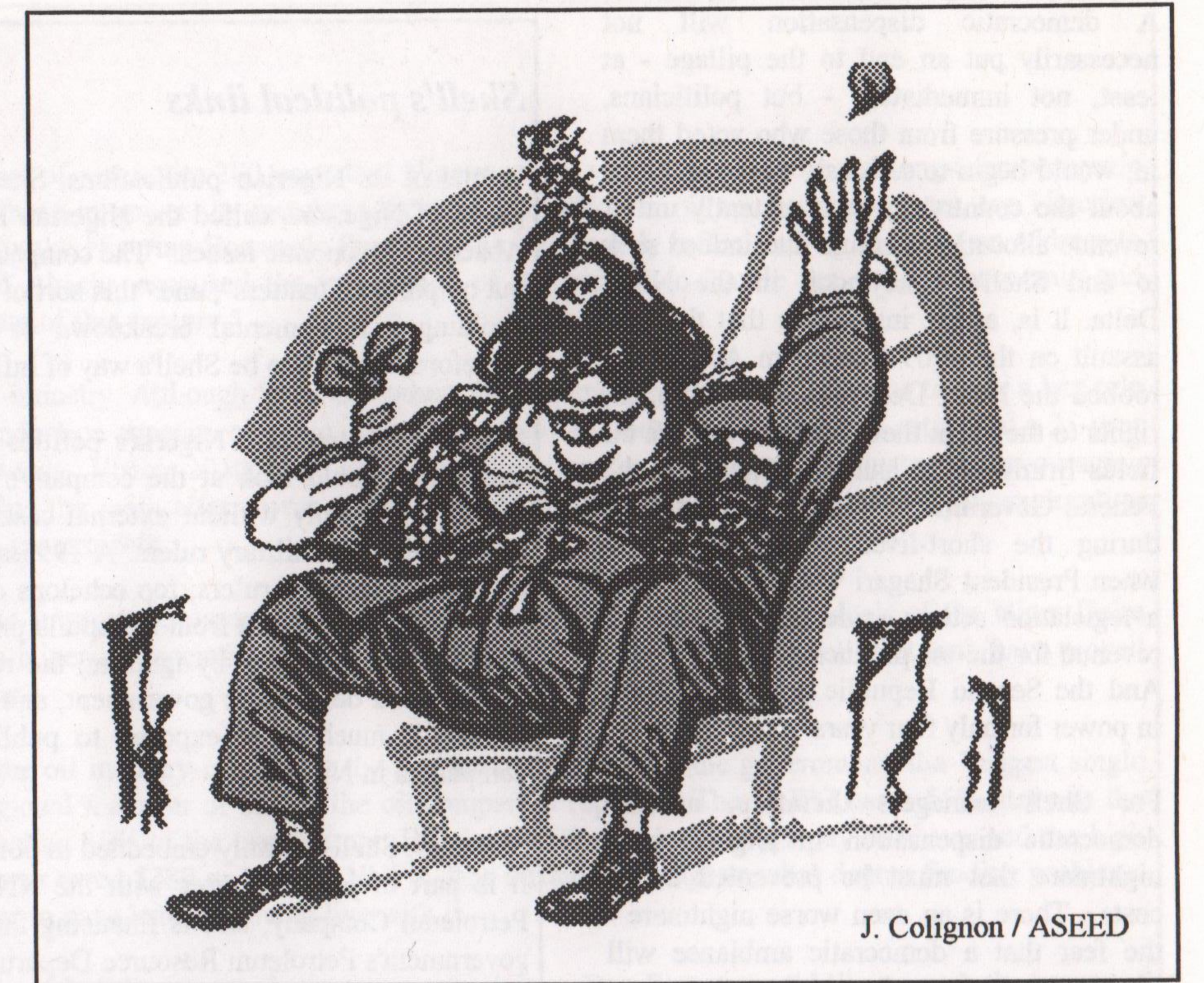
Backing the winning horse

Conventional wisdom, especially in studies of Nigeria's political economy, sees Shell as a neutral - even uninterested - observer in the country's political stage. This is pure fiction. Shell is a key and active player in the Nigerian political stage, albeit an invisible one. The oil multinational, a past master in that strange but nevertheless pivotal art of scenario-planning had, right from the onset, determined what its interests in the geopolitical space called Nigeria are, who is best positioned to protect them, and exactly how to go about manipulating events discretely to ensure that it always backs the winning horse as politically volatile Nigeria staggers from crisis to crisis.

For Shell, scenario planning in Nigeria is not an objective and disinterested analysis of economic and political trends projected into the future with a view to ascertaining how these could affect the company's fortunes for good or ill. Working hand and glove with the mandarins at Whitehall, it is all about pulling strings, courting powerful politicians and military officers with lucrative contracts and boardroom positions, and putting in place a vast network of official and unofficial cronies and loyalists who toil night and day to advance the multinational's interests. Shell does not simply react to political and economic developments in Nigeria; it influences them to suit its own long-term interests, and has done so since it first produced oil from Oloibiri in July 1957.

Umuechem and OMPADEC

Shell's 'unseen' hand finally came out in the open in 1990. Anti-riot police were dispatched to quell a demonstration by the people of Umuechem, a small Niger Delta community where it operated some oil wells. The people were protesting Shell's despoliation of their environment - and also the fact that they were not getting a fair share of the oil proceeds. Shell called in the Mobile Police Force, and by the time the gun smoke cleared over ninety Umuechem people lay dead. The Umuechem incident signaled to Shell senior managers that the era of holding down the oil producing communities with the help of a corrupt and compliant government was finally over, and that there was need to use a little carrot along with the traditional big stick. The appearance of a militant and



J. Colignon / ASEED

determined MOSOP on the scene a few months later further confirmed this. Thus did Shell lobby the military regime at the time to do 'something' about the plight of the oil-producing communities. The decision by the federal government to raise the proportion of revenues going to oil producing areas from 1.5% to 3% in 1992 was Shell's handiwork, working through its contacts in government. The establishment of OMPADEC, a government-controlled development agency a year later to administer these funds was also Shell's brainchild.

Shell did not initiate these moves because the company had the interest of the oil communities at heart and genuinely wanted to do something about the social and economic neglect they had suffered for so long. OMPADEC was a supremely cynical gesture, designed to keep the hungry and yelping dog quiet. It is instructive that the Nigerian military junta announced that it had further increased the proportion of the

oil revenues accruable to the oil producing communities to 13% only a few months after Ken Saro-Wiwa was murdered - a gruesome act in which Shell was implicated and which generated a lot of bad publicity for the company's Nigeria operations in international circles. Shell was under pressure; Shell was feeling the heat, and something urgent had to be done to mollify the grieving people of the Niger Delta whose son the company had murdered.

Avoiding the nightmare of democracy

Given the above, it is therefore clearly misleading to see Shell in Nigeria as another multinational doing legitimate business in an environment it has little or no control over and whose vagaries it therefore has to incorporate in its scenario planning. If the company indulges in scenario planning in Nigeria, then it is all about political maneuvering i.e. ensuring that actors sympathetic or beholden to it always manage to retain the reins of power.

The 1967 civil war was Shell's first baptism of fire in the shifting sands of Nigerian politics. She backed the right horse at the time - the Northern-dominated Federal Army - and has relied on this power bloc ever since to maintain her near total dominance of the country's multi-billion dollar oil industry. When Shell managers in Nigeria declare openly that they prefer military dictatorship to representative rule, they know what they are talking about. Nigeria's successive military dictators have served the multinational well, holding down the restive minority ethnic groups of the Niger Delta and plundering their resources in collaboration with Shell.

A democratic dispensation will not necessarily put an end to the pillage - at least, not immediately - but politicians, under pressure from those who voted them in, would begin to seriously raise questions about the country's present patently unfair revenue allocation formula and indeed seek to end Shell's honeymoon in the Niger Delta. It is, again, instructive that the first assault on the 1969 Petroleum Act, which robbed the Niger Delta communities of all rights to the oil in their land and put the oil fields firmly in the hands of Shell and the Federal Government, was mounted in 1982 during the short-lived Second Republic when President Shagari was forced to sign a legislation setting aside 1.5% of the oil revenue for the oil producing communities. And the Second Republic politicians were in power for only four years!

For Shell managers therefore, another democratic dispensation in Nigeria is a nightmare that must be prevented at all costs. There is an even worse nightmare - the fear that a democratic ambience will create the atmosphere for increased agitation for self-determination and economic justice in the oppressed oil communities and even possibly lead to another bid for secession by the ethnic minorities in the south of the country in whose territory the bulk of the oil is.

Given the company's gory record in the Niger Delta these past four decades, Shell managers realise that it will indeed be very difficult for the company to hold on to the oil fields in a new geopolitical arrangement where the oil communities themselves are calling the shots. Nigeria, therefore, must remain one, come what may - but with the soldiers in control, of course. That is precisely why Shell spin doctors and lobbyists are presently rallying support for the Abacha junta in western capitals. That is also why Shell has helped the junta to put in place the so-called Vision 2010, a blueprint designed to help Nigeria's generals consolidate and maintain their

Scenario planning

Developed by Shell in the late 1960's, scenario planning is a way of looking at and guiding the long-term development of the company's business environment. It takes a close look at the key actors: the oil producers, consumers and companies, and typically has a horizon of 15 years. Scenario planning was introduced into Shell's central offices and certain large national operating companies in 1972. The company promoted the technique internally worldwide after its success in predicting the oil crisis of 1973 and the collapse of oil prices in 1981.

Shell's political links

In one of its Nigerian publications, Shell admitted that it "is now working with a group of Nigerians called the Nigerian Economic Summit" which gives guidance to Abacha on economic issues. "The company remains very clear that it should not speak out on political matters", and "this sort of quiet diplomacy still offers the best hope for avoiding a fundamental breakdown of Nigerian society." Such 'quiet diplomacy', therefore, appears to be Shell's way of influencing government policy.

Shell's involvement in Nigeria's politics can be seen from three angles. Firstly, the economist would look at the company's self-interest. In Nigeria, Shell's interest to exploit oil cheaply without external costs such as environmental clean-up coincides with that of the military rulers. A 1995 study on the Nigerian economy talked of "an alliance of military rulers, top echelons of the civilian bureaucracy and the business sector" who all benefit from the spoils provided by the oil wealth. These groups hold on to the oil revenues by ignoring the rest of society. An alternative to the current military is a democratic government, and from Shell's perspective such a government would be much more exposed to public pressures for curbing the power of oil companies in Nigeria.

Secondly, Shell is firmly embedded in political and economic structures. For example, it is part of joint ventures with the NNPC, the state-controlled Nigerian National Petroleum Company, and is financing foreign trips for training of officials from the government's Petroleum Resource Department. Shell can count on the loyalty of these people since officials earn little on state salaries and the government was recently in arrears with payments to ministry officials. Shell has many formal and informal agreements with state agencies that range from issues of land acquisition to the purchase of arms for the police.

Thirdly, Shell has built up a network of human contacts in Nigeria. It regards its Human Resource Management generally as a great strength and relies heavily on its formal and informal networks. These are reinforced by bringing together from time to time Shell employees from different subsidiaries, a practice sometimes called 'flocking'. Furthermore, former Shell managers occupy or have occupied high posts in the administration: Ernest Shonekan was President of Nigeria in 1993 and is currently head of the Vision 2010 project; George Ada was formerly governor of Rivers State in the Ogoni area; and Edmund Daukoru was appointed Group Managing Director of the NNPC in 1992 while still working for Shell, later retiring from both. Human Resource Management extends to outsiders as there is close contact between Shell employees and officials. According to one report, Shell even had regular meetings with Major Okuntimo, former head of the Rivers State Internal Security Task Force, responsible for a number of massacres.

hold on power well into the new millennium. The arithmetic is simple. More political repression and military dictatorship in Nigeria equals more profit for Shell.

One Shell scenario from the early 1970's compared a number of oil producing countries, including Nigeria, according to a number of factors: firstly, according to a country's desire for high depletion of oil reserves; secondly, according to its desire for highest take of oil revenues; and thirdly, according to its ability to absorb oil revenues. In terms of long-term prospects, Nigeria came top in the last two categories and third highest in the first. Nigeria had the advantage for Shell because it had oil reserves for unlimited depletion, because

the country's rulers were willing to rely heavily on oil and because the beneficiaries were able to spend revenues without limitation. Shell was able to understand that despite Nigerianisation efforts it had a secure position and faced good long-term prospects for business in Nigeria. And it could see how to manipulate successfully the political environment in its own interest.

Vision 2010

Nigeria's Vision 2010 project comprises a panel of just under 200 important Nigerians and was set up to work out long-term economic plans for Nigeria's future in the interests of those in power. Its members include state officials, oil company managers, top Nigerian businessmen and academics. It was initiated by the Nigerian Economic Summit, which is heavily influenced by Shell. At an address to the Third NES in September 1996, General Abacha espoused the ingredients of the vision: to "guide the nation's economic and investment culture towards the concluding years of this century."

Articulation of this vision is crucial to the oil industry. Although Shell and other oil companies are likely to continue to play a key role in Nigeria's economy in the year 2010, the production capacity of crude oil may begin to fall: industry experts have estimated a 25-year life span for the country's crude. In other words, Vision 2010 must set a new direction for Nigeria's oil industry by encouraging alternative forms of oil operations, and for this the main alternatives are exploration in the frontier basins for crude oil, exploration deep offshore for crude oil, and investment in gas projects.

At least in rhetoric the government intends to improve its environmental record. Vision 2010 espouses the ideals of the Niger Delta Environmental Survey (NDES) and the Clean Nigeria Association (CNA), both of which were initiated by Shell. But both have proved to be no more than public relations ploys so far.

The most critical aspect of Vision 2010 for the oil industry is to solve the problem of funding by the government, the "biggest single issue affecting Nigerian operations", as a regional manager of one of the oil companies reported. The NNPC has a 55% stake in the Shell joint-venture so it is responsible for meeting 55% of the expenditure. But the NNPC does not always pay its share, and the high point was reached in early 1995 when Shell was owed \$380 million by NNPC. It is difficult to judge to what degree funding problems hinder oil companies, but the oil bosses appear to have learned how to live with it.

Interestingly, some members of Vision 2010 - including the petroleum resources minister Dan Etete - would like to curb the power of multinational companies within Nigeria. Etete, like some of his predecessors, would like to lessen Nigeria's dependence on foreign managers, technology and other inputs. Several months ago he expressed his dismay that after over 35 years of oil production, "we have not been able to produce even an oil rig. We cannot even produce pipes for our upstream and downstream investment. Everything required in the industry is still imported." And since Shell is aware of potential opposition to its activities, the company has to pre-empt its critics in Nigeria and exert influence in the government. Vision 2010, the hope for Nigeria's long-term macro-economic development, is headed by Ernest Shonekan and uses Shell's management technique known as 'scenario planning'

The role of women in the struggle for environmental justice in Ogoni

Diana Wiwa, International Representative of the Federation of Ogoni Women's Organisations (FOWA), introduces the recent struggles of women in Ogoni.

On April 25, 1997, the Federation of Ogoni Women's Associations (FOWA), an umbrella group for all women's groups in Ogoni, took a resolution. This stated, "It is resolved that Shell cannot and must not be allowed in Ogoni... we say no to Shell as it remains *persona non grata* in Ogoni". This pronouncement, amongst five other resolutions, was signed or thumb printed by over 300 women leaders in Ogoni who represent FOWA's 57,000 registered members.

This action was taken by a well-organised African women's movement, one that has played a key role in one of the largest non-violent struggles for environmental and social justice in African history. How did these women become so well-organised? And where do they fit into their people's struggle?

The birth of MOSOP and FOWA

The era of the most intense protests began on January 4, 1993, when the Ogoni people took their future into their hands and peacefully protested against nearly four decades of environmental devastation by the oil company Shell. Over 300,000 people came out from a total Ogoni population of 500,000, and the women played a key role in organising that massive protest. Not a single stone was thrown.

FOWA was set up in 1993 along with eight other units which make up the Movement for the Survival of the Ogoni People (MOSOP). MOSOP is the democratic organisation which represents the voice of the Ogoni people in the Niger Delta. It acts as an umbrella organisation for the Ogoni groups which together have a total membership of over 250,000 individuals:

the Federation of Ogoni Women's Associations (FOWA); National Youth Council of the Ogoni People (NYCOP); Council of Ogoni Churches (COC); Council of Ogoni Professionals (COP); Council of Ogoni Traditional Rulers (COTRA); National Union of Ogoni Students (NUOS); Ogoni Students Union (OSU); Ogoni Teachers Union (OTU); and Ogoni Central Union (OCU). FOWA is like these other MOSOP units, independent but guided by MOSOP policies. It is widely recognised, however, that FOWA has grown to be the strongest component of the nine existing units of MOSOP.

Shell in Ogoni

Within the 404 square miles which make up Ogoni, the people depend on fishing, farming and trading for sustenance. This close relationship with the land means that Ogoni communities have placed a lot of emphasis on care of the environment, believing it to be the life giving source of the people and the dwelling place of their ancestors.

With the discovery of oil in the 1950s, the Ogoni were completely unaware of the consequences of oil drilling, and were

Ogoni women tell Shell to stay out

FEDERATION OF Ogoni WOMEN ASSOCIATION (FOWA)

RESOLUTION

WHEREAS:

1. Shell has exploited the Ogoni people in billions of US Dollars since 1958 through Oil exploration, without payment of rents and royalties, neither has it shown any sign of sensitivity to the sufferings and feelings of the Ogoni People at all.
2. Instead of blessings, Shell's exploration in Ogoniland has brought untold woes including deaths to the Ogoni People, resulting from oil devastation of our land, degradation of our environment, complete destruction of our ecology and the eco-system and pollution of our waters.
3. Shell's sponsorship of the July and December, 1993 and March, 1994 massacre of the Ogoni People through our neighbours, the Andonis, Okrikans and the Ndokis respectively.
4. Shell masterminded and actually supervised the brutal judicial murder of our Great Leader and Son, Ken Saro-Wiwa and 8 others by the Nigerian Military in 1995.
5. Shell plans to come back to Ogoniland through the back door as revealed in several ways, including the Chief Alex Akinyele's "April fool" reconciliation visit to Ogoni from April 1st - 3rd 1997, which focus was on the reconciliation of the Ogoni People to Shell.
6. Shell's continued sponsorship and use of the dreaded Rivers State Internal Security Task Force headed by the blood thirsty ghaul, called Major Obi Umahi, which continually harrass, arrest, extort, torture and rape our people, particularly the women folk
1. We condemn in its strongest terms the attitude of Shell and its insensitivity to the sufferings and feelings of the Ogoni People, since it started operation in Ogoniland till date.
2. We totally condemn the brutal judicial murder of our Leader and Son, Ken Saro-Wiwa and Eight (8) others from which Shell cannot wash its hands before Men and before God.
3. We strongly condemn and will vehemently struggle to resist all attempts by Shell to try to come back to Ogoniland through the back door, whether by Chief Akinyele's so-called National Reconciliation Committee (NARECOM) or any other means.
4. It is finally resolved that Shell cannot and MUST not be allowed any longer in Ogoni UNLESS OUR KEN SARO-WIWA HAS BEEN HANDED OVER TO US ALIVE. We say NO to Shell, as it remains declared persona non-grata in Ogoniland.
5. We further condemn the continued military siege in Ogoni; the continued repression including killings, harrassment, extortion unlawful arrest and illegal detention and rapes.
6. We also condemn any attempts by General Sani Abacha to try to succeed himself as a Civilian Dictator to further impose his in-human and barbaric dictatorship rule over the Nigerian people including the peace-loving indigeneous Ethnic Ogoni.
7. We highly appreciate what the good people of the world has been doing for the Ogoni People, particularly our Women folk, through our able International Representative, Mrs. Diane D. Wiwa and other MOSOP representatives abroad and very strongly call on the International Community to wake up enough to the deplorable situation in Ogoniland.

We, the undersigned Federation of Ogoni Women Association (FOWA) at its 22nd General Meeting held [redacted] on 25th April, 1997 met to review the situation in Ogoniland as outlined above and resolved as follows:

Meeting some of the representatives later, Diana Wiwa reported: "The women were very concerned about the continuing military presence in Ogoni, particularly the rapes, beatings and murders, the disruption of markets and the extortion of money by soldiers. They called on governments worldwide to help stop this reign of terror. Rather than the current virtual silence on Ogoni they want governments to take concrete steps such as introducing an oil embargo, expelling Nigeria from the Commonwealth and United

Nations, and freezing the accounts of the military and key civilians. Furthermore, Abacha must be challenged now on his manipulation of the political process in Nigeria. They also thanked all those in Nigeria and abroad who have contributed to the fight for justice in Ogoni, and pleaded to these supporters not to let the struggle end. The women made it clear that they were still strong in their resolve, but that they urgently need international allies while the Nigerian regime continues its focussed repression of the Ogoni."

DATED THIS 25TH APRIL, 1997.

forced to accommodate the arrival of the oil industry. Being the producers of much of the food that was eaten in the Niger Delta, the Ogoni were not poor, and had hoped that the oil could make a relatively prosperous situation better. It did not take long for the Ogoni to see that this was not to be the case. Beyond the fact that the revenues from the oil did not get to the people, the social consequences of the environmental nightmare that had been unleashed were unbearable. They saw their farmland being expropriated for oil extraction without compensation, and faced no alternative means of survival. Pipelines

often criss-crossed valuable farmland and poisonous gases were flared into the atmosphere close to communities. Ageing oil equipment very often failed and leaked oil into communities and farms without adequate clean-up. The performance of Shell and their lack of environmental standards was completely destructive of the environment - as well as of the Ogoni people themselves, dependent on the land and rivers for their survival. Those who suffered most were the women and children, who, unlike the young men, could not easily migrate to the urban areas to escape.

Cultural traditions broken

In the traditional Ogoni setting, when a woman gets married, her husband is required to give her a piece of land to farm. It is from this farm that she feeds her family and grows food for sale in order to buy other staples. This tradition allowed the women to enjoy a measure of independence. The fertility of Ogoni soil made it very fruitful for agriculture, producing high yields. The bountiful harvests left time for them to invest in cultural activities such as art, dancing, singing, and pottery making.

However, the constant acquisition of new territory for oil exploitation, and the resultant pollution from the industry, has left the Ogoni women with no means to feed or support their families. Women have to go further away from home to find unpolluted water for their domestic chores. Their children have not received employment in the oil industry (a mere fifty Ogoni were employed until 1993, mainly as cleaners and drivers), making young men and women a continuing responsibility for their mothers long after they should have been independent. These changes have brought a resultant rise of tension in the home. Testimonies of older women confirm that in the past there was less tension.

The fattening room

The health of a household has usually been dependent on the woman, who commonly had specific knowledge of local medicines. She learned about the local cures during her 'fattening room' period. This starts after the birth of her first child and lasts for one year. During this time, she is not allowed out of the family compound. Besides being a time for her to rest, it is also a time of schooling when she learns how to look after her child and home. She is attended to by women from her family and older women in the community.

As pressure grows on the young women, forced to deal with shrinking agricultural resources, very little time is left for them to acquire the specialised health knowledge traditionally gained through a fattening room period. For those who still practice this tradition, it rarely exceeds two months - after which they must return to farming.

The loss of the fattening room and other traditions led the Ogoni women to make a conscious decision to organise against the oil industry on their land: a force they saw as being clearly responsible for cultural degradation in Ogoni.

The violence starts

Since the grand protest of January 4, 1993, the Ogoni women have suffered first hand the violent reprisals instigated by the Nigerian military and their Shell counterparts.

The first incidence of violence was in April 1993. An Ogoni woman, Mrs. Karalolo Korgbara, went very early in the morning to her farm. On arriving, she discovered it being bulldozed by Wilbros, a sub-contracted company working for Shell who were accompanied by well-armed

soldiers. She attempted to protect what was left of her farm but was badly beaten. Mrs. Korgbara then left to inform the rest of the villagers of what was happening. Thousands came out carrying branches (a symbol of protest) and demonstrated peacefully. The soldiers shot into the crowd of protesters, killing one Ogoni man, Mr. Agbarator Atu, and seriously wounding several others, including Mrs. Korgbara who had her arm amputated from the gunshot wound she sustained.

Women's activity continues

Despite this event, the Ogoni continued to organise. FOWA established units all over Ogoni and expanded its activities in all Ogoni communities. There are 126 branches of FOWA, one in every Ogoni village. It has made efforts to revive

The loss of the fattening room and other traditions led the Ogoni women to make a conscious decision to organise against the oil industry on their land - a force they saw as being clearly responsible to cultural degradation in Ogoni.

threatened cultural practices, such as pottery making and basket weaving, and has developed programs to look into areas like traditional family planning methods, health, and the education of young girls.

One key program was designed to inform and educate young Ogoni women about sexually transmitted diseases and birth control (prostitution was on the rise, believed to be related to the oil industry). FOWA had planned to set up a resource centre for its activities. In order to implement these programs, money had to be raised. FOWA did this through membership fees; existing and new women's co-operatives contributed, and a substantial amount was raised.

Genocide begins

The family planning discussions had just started across Ogoni when the next wave of military attacks hit the Ogoni people in August 1993. The people were caught completely unaware. By August 1994, thirty villages were destroyed, over 2000 people killed, more than 3000 injured, and about 100,000 Ogoni made internal refugees. The women acted as swiftly as they could. Most of the money raised for women's development programs was put into securing food and medicine. Every Ogoni woman was asked to donate something to help resettle and rehabilitate the large number of refugees.

Ogoni had become a war zone. MOSOP put out a plea for help to the wider Nigerian and international community. We finally got some help from organisations such as the

'Daughters of Charity', a Catholic relief agency working in Nigeria. Despite the danger and hardship, the Ogoni women collected a garage full of food in less than three weeks. FOWA worked closely with the *ad hoc* 'Relief and Rehabilitation Committee', set up by MOSOP to handle the crisis, and distributed food and aid.

But by July 1994, the women's resources had been exhausted, and the refugees and the ruined villages were still a problem. The market squares where the women traded their goods with neighbouring communities had been destroyed. They had no way of raising further funds to support the internal refugees. In response to this continuing crisis, FOWA initiated an assimilation program in which Ogoni families absorbed refugees into their homes. FOWA also worked with MOSOP to formulate a plan by which the destroyed homes and villages could be rebuilt. The Canadian government helped rebuild about seven of the villages, including the destroyed market and school in Kaa.

Sanitising Ogoni

Still, no matter how FOWA and the Ogoni people worked to recover, the Nigerian military was to give them no respite. On the morning of April 21, 1994, Ogoni leader and spokesperson Ken Saro-Wiwa was arrested on trumped-up charges. He was incarcerated for nine months before being charged and arraigned before a special military tribunal. To silence the well-publicised campaign of the Ogoni for environmental justice, an Internal Security Task Force (ISTF) was set up by the Nigerian dictatorship to terrorise the Ogoni. What followed was another story of horror. The ISTF set out, in the words of the commander of the force, to "sanitise Ogoni". The military went on a rampage - beating, killing, maiming, detaining, extorting money, looting, and raping throughout Ogoni. Women were often the targets.

In June 1994, during an attack of the ISTF against an Ogoni village, Miss 'B' fled into the forest along with her three younger siblings. She was only sixteen. Being in the forest several days without food for her siblings, and not being able to stop their cries of hunger, she ventured back into the village with the hope of procuring some food and water from their abandoned home. Before sunrise she went to get some water to cook. On her way back, and just a few feet from her home, she was attacked by the soldiers who had earlier driven away the villagers. She was raped and beaten in broad daylight and in the presence of her siblings. In the attempt to save her they were also severely beaten. Now, three years later, she is still traumatised. This is just one of the many stories of rape and repression the Ogoni women have

Arise! Women's resistance in Nigeria

Edited material from Canadian political economist **Terisa Turner** looks at women's uprisings against oppression in colonial Nigeria.

Throughout the twentieth century, Nigerian women have exercised the social power under their control in their own interests and in the interests of the community. Examples of women's resistance include the Aba women's wars of 1928-1929, the Egba women's movement of the early 1930's to the 1950's, the Ogharefe women's uprising of 1984, the Ughelli women's anti-tax protests of 1985-1986, the Ekpan women's uprising of 1986 and the mobilisation of Ogoni women during the 1990's.

In 1928-1930, Aba women rose in mass protest against the oppressive rule of the colonial government. They mobilised in order to counter any moves to impose further taxes, and to overthrow the warrant chief system which the British had imposed. These Igbo women of eastern Nigeria feared that the head-count being carried out by the British was a prelude to women being taxed. The women were unhappy about the over-taxation of their husbands and sons which they felt was pauperising them and causing economic hardship for the entire community. They resented the British imposition on the community of warrant chiefs, many of whom carried out what the women considered to be abusive and extortionist actions such as obtaining wives without

paying the full bride wealth, and seizure of property. Previously, new village leaders or heads had been democratically chosen and removed by the people themselves. Power had been diffuse; decisions were reached informally or through village assemblies of all adults who chose to attend. While they had less influence than men, women did control local trade and specific crops. Women protected their interests through assemblies, and this had been changed by the colonial government which appointed its agents as warrant chiefs to rule over the people.

'Sitting on a man'

The abuses of the British-appointed native judges and tax enumerators impelled the women to stage a protest on 24 November 1929. Using a deeply rooted practice of censoring men through all night song and dance ridicule - 'sitting on a man' - and with market hold-ups and sheer force of numbers, the women's rampages spread. Thousands of women wearing loincloths and carrying palm-wrapped sticks gathered outside the district offices in Owerri and Calabar provinces, 'sat on' the warrant chiefs and burnt their buildings. Late in December 1929 the women forced the Umuahia warrant chiefs to surrender their caps thus launching their successful campaign to destroy the warrant chief system. In Aba, women sang and danced against the chiefs, and then proceeded to attack and loot the European trading stores and Barclays Bank and to break into the prison and release the prisoners. Some 25,000 Igbo women over an area of 6,000 square miles confronted colonial repression and over a two month period of insurrection, December 1929 to January 1930, at least 50 were killed.

From the 1930's to 1950's, using similar weapons, the Egba women of Yorubaland in western Nigeria pressed for and subsequently secured the abdication of the Alake (King) of Egbaland. Through the Abeokuta Women's Union, a popular organisation with a membership of some 100,000, the women succeeded in 1949 in forcing the abdication on the grounds that the king was collaborating with the exploitative colonial government. The Egba women also claimed that he was hiding under the cover and protection of the colonial government to perpetrate misrule, hardships and oppression on Egba people, and especially on the women.

Paralysing the trading system

These instances of women's political intervention during the colonial epoch demonstrate the use of market power and

the expression of indigenous feminisms. Rapid and massive mobilisation was possible because of women's strong societal organisations and effective communication networks based on concentration in the markets and dispersal along the trade routes. Nigerian women's actions have to do with market control and with women's dual focus on both the state and those among their own menfolk who were instruments of the state. First, women engaged in the business of long and short distance marketing took the initiative in mounting mobilisations. But peasant women and townswomen joined the market women to constitute a mass movement. The social power marshalled by this amalgam

Women sang and danced against the chiefs and then proceeded to attack and loot the European trading stores and Barclays Bank and to break into the prison and release the prisoners.

centred on the women's ability to withhold food from the cities. They paralysed the trading system within which they exercised considerable power. Not only was food denied the cities, but cash crops were denied the colonial authorities and their merchant allies in repeated confrontations over who should determine prices (in the western Nigeria cocoa hold-ups during the second world war, for example).

Second, women mobilised not only against the British state directly but also against collaborating indigenous men whose power was underpinned by a 'male deal' with men in the colonial regime. In so doing, women stood against class formation which distorted popular control over indigenous political institutions. The women manifested their distress at the deterioration of their own circumstances with the encroachment of capitalist relations. As such their actions were feminist in as much as they were aimed specifically at defending the interests of women. However, the discourse which women used then and now to explain their motives and objectives cannot be assumed to resemble feminist discourses from other societies or periods, and requires analysis in its own right. In mobilising against the coloniser-chief alliance among men, women were acting simultaneously on behalf of women and on behalf of both men and women in the peasant and trading classes - illustrating the coincidence and indivisibility of feminist and class politics in the history of Nigerian women's uprisings.

BOX: Women mobilised not only against the British state directly but also against collaborating indigenous men whose power was underpinned by a 'male deal' with men in the colonial regime. In so doing, women

stood against class formation which distorted popular control over indigenous political institutions.

The 1980's saw a resurgence of women's militancy when the Nigerian military attempted to impose structural adjustment conditions. The particularly female weapons of song and dance ridicule used during the colonial epoch were employed again in the 1984 and 1986 women's uprisings against the oil companies near Warri. In the 1984 Ogharefe uprising 10,000 women also used the 'curse of nakedness' to damn male dealers and representatives of a U.S. oil company who had so damaged the productive commons that a whole way of life was undermined. Another key feature of the 1980's struggles is the solidarity they struck between women and some men, often their sons, against a few older and more powerful men who were targeted as having sold out the community in deals with the oil companies and government.

Taken from: Women's uprisings against the Nigerian oil industry in the 1980s, (T. E. Turner and M.O. Oshare, 1993); and Women, Oil and Land: the Ogoni Social Movement and the 1994 Oil Strike in Nigeria (T. E. Turner, 1997).

Ogoni update

After the first anniversary of the Ogoni Nine's murders, during which one person was shot dead and up to 70 detained, troops raided Ken Saro-Wiwa's home town of Bane, and raped several women there. One Ogoni man, Barida Naakuu, was shot dead in Port Harcourt, and Baritogeh Naagbi died from torture she had received during the UN fact finding visit earlier in the year. Sunday Samuel lost an arm after being shot by soldiers at a checkpoint, and humiliation, extortion, beatings and detention common throughout Ogoni.

Shell was forced in December to withdraw a complaint against Channel 4 TV in Britain over the documentary 'Delta Force'. John Willis form Channel 4 said, "Shell's withdrawal of its complaint is a humiliating climbdown. This company has been prepared to use all its multinational resources to attack the journalism of Channel 4 - but has had to back off because it could not disprove what we said."

The World Council of Churches published the comprehensive study 'Ogoni - the struggle continues' in January, to strong criticism by Shell but very positive reviews from everyone else.

Rallies for Ogoni Day, January 4, were held in the more inaccessible areas of Ogoni to play on the weaknesses of the military. Up to 80,000 people took part in peaceful dance ceremonies. Major Obi Umahi had toured Ogoni villages beforehand to warn them not to observe Ogoni Day, and 19 communities had been raided. There were shootings where soldiers met the crowds. Four people suffered gunshot wounds and Chief SK Tigidam, Paa David P Deesua (70), and Barilee U Tigidam (12) were all beaten severely. Many others suffered abuses at the hands of the security forces.

Later in January MOSOP criticised Shell's publicity stunts involving donations of drugs to clinics and the take-over of Terabor General Hospital in Gokana, particularly as the population still suffers the health consequences of Shell's environmental irresponsibility and is still under violent siege. The Secretary of the Crisis Management Committee, Nwibani Nwako, said that the persona non grata status given to Shell will remain there until its racist attitudes are transformed and it adopts a willingness to dialogue genuinely with MOSOP.

Luloo Feeghalo was killed at a roadblock, and Chief Tigidam died from injuries sustained on Ogoni Day. Vinka Asiga (alias Kuti) of Mogho was shot by soldiers on his way to visit Ogoni detainees at Afam on February 11. By early spring the number of roadblocks in Ogoni had increased from 4 to 8.

The government-sponsored 'reconciliation committee', NARECOM, met with a number of Ogonis in the presence of Shell in early April and invited the company back into Ogoni to resume operations. MOSOP was not present at the meeting. NARECOM's Chief Alex Akinyele criticised MOSOP and was reported in Thisday newspaper to have given Shell a 90-day ultimatum to return to Ogoni, an action interpreted as incitement by the National Youth Council of Ogoni People, NYCOP.

NARECOM, of course, does not have the authority for such a declaration. Owens Wiwa, brother of Ken Saro-Wiwa, told DELTA, "Of course NARECOM doesn't set the agenda: Shell does." MOSOP denounced NARECOM's "package of blackmail and treachery against the Ogoni people," stating again that Shell is not welcome. Ledum Mittee challenged other oil companies interested in operating in Ogoni to meet a number of conditions,

FOWA cont'd

experienced and continue to experience - because of their demands for justice from Shell, whose presence has not only devastated their land but has impoverished Ogoni women and subsequently the community.

Support for detainees

Although the Ogoni women have suffered spectacular physical and cultural losses from the genocidal war fought against them, they have not stopped their activities. They continue to organise and assist each other to the best of their ability in the tasks such as feeding and attending to the hundreds of Ogoni detainees taken by the Nigerian soldiers.

This activity has been difficult and in many cases impossible to continue since the local economy has been badly damaged by the series of attacks, looting and extortion by Nigerian soldiers. Still, the women, both as individuals and as a collective, have somehow found ways to support their families and communities. With less material support, the women have been providing moral support for those who are detained or despairing the conditions in Ogoni today. This spirit is what is at the core of the Ogoni struggle.

Being a religious people (most are Christian, but there is still a lot of the traditional beliefs), the Ogoni women have continued to organise religious events like prayer meetings despite many arrests and threats from Nigerian soldiers who continually harass them.

Internationalising the protest

By January 1997, an international office had been set up in Toronto, Canada, and FOWA also now exists in St. Louis, Missouri and in Ohio in the USA. The aim of the international office is to raise the awareness of the international community as to the destructive nature of oil exploitation to the Ogoni community as a whole, but with special attention paid to the most vulnerable members of Ogoni society. FOWA also seeks to build a support base for the Ogoni women in Ogoni and abroad. It aims to learn from and network with other women from around the world who have had to fight to save their own home lands.

Ogoni women found in 1993 that they, and all Ogoni, had no choice but to organise protests against Shell and the Nigerian dictatorship. Through early grassroots organisation in all Ogoni communities, and by ensuring a democratic process in decision making, FOWA early on won the complete loyalty of Ogoni women. It has united women of all generations, and has been able to bring the thoughts of the women in the community together in one voice, and to make this voice heard.

FOWA's success, therefore, was not only rooted in its commitment to organising the protests against oil exploitation, but in its commitment to strengthening the cultural practices and role of women at the village level in Ogoni. By ensuring cultural survival while fighting for environmental justice, FOWA has made itself one of the most effective grassroots women's movements in Africa.

including operating to the highest international standards.

The Times in London also published news of Shell's intention to re-enter Ogoni. The company seems to be testing the international and media response to their plans.

MOSOP reported in May a build-up of arms at the borders of Ogoni and neighbouring Andoni, Ndoki and Okrika, and feared a repeat of the government-sponsored 'ethnic clashes' and military attacks.

A huge blowout occurred in Ogoni on June 14, according to MOSOP-Canada, causing serious pollution to 300 acres of farmland at Kegbara Dere. Shell awarded the contract to clean it up to Major Obi Umahi using the Gokana Local Government chairman as a front.

US Baptist ministers were given a guided tour of parts of Ogoni by Major Obi Umahi on July 4. Inhabitants of Giokoo were forcibly evicted from their houses and government agents installed for 12 hours, just as people were forced out for last year's UN visit.

At the beginning of June stories emerged of a renewed military crackdown in Ogoni. This was in retaliation to an article in Tell magazine which featured Ogonis protesting Shell's planned return. Bori was reported as being under curfew and the military presence increased. Random gunshots were reported as being used to instill fear into the community. A hunt for participants in the protest march began and many people were arrested, tortured and forced to hand over payment to secure their release. According to Environmental Rights Action, several meetings of youth and cultural organisations were disrupted and participants detained.

On June 30 Victor Dania from Shell was quoted in the (Nigerian) Guardian that the company had plans to re-enter Ogoni, based on 'cost-revenue analysis', before the end of the year. "There are no definite steps on resuming production yet, as such developments have to be dictated by purely economic considerations," he said.

MOSOP reacted angrily to such economic dictatorship of decisions regarding Ogoni, and denied that there had been negotiations with Shell. It re-affirmed that dialogue was only possible "when we don't have a gun pointed at our heads," and when other basic freedoms are returned. These included the withdrawal of troops from Ogoni, the release of detainees, a cessation of arrests and further harassment by the military, the creation of an environment that will allow MOSOP leaders abroad and refugees to

return in safety, and the freedom for MOSOP leaders to consult with people at the grassroots. It warned Shell that any attempt to stage a re-entry into Ogoni without first meeting the people's demands "will be viewed as an act of extreme provocation and would be stoutly resisted by all lawful means."

MOSOP reported the "brutal murder of Mr. Barile Ikogbara by soldiers of the Rivers State Internal Security Task Force" on July 12 in Saakpenwaa, Tai Local Government Area. A soldier shot at a bus after the driver refused to pay the usual N20.00 'fee' at the road block. Two more were left in a critical condition. Another unidentified Ogoni was shot dead along Oyigbo Road.

In early September about 120 books written by the Ken Saro-Wiwa were seized by the Rivers State Internal Security Task Force, according to MOSOP. They were confiscated from a bookstall at the entrance of the state secretariat complex by Major Obi Umahi.

The Ogoni 20

"Abacha knows that executing them or even trying them will draw unwanted attention. Instead, he seems prepared to let them die in jail untried."

New York Times, August 6, 1997

The Ogoni 19, now numbering 20 with another arrest last November, still languish in jail in Port Harcourt prison. Some have been in jail for over three years, with bail continually refused and little chance of a trial.

"Nyieda Nasikpo had just been released from the dark room the other day. The dark room is a prison within prison, serving as punishment within punishment. In this room, communications within the prisons and other inmates is totally severed and the detainee is locked perpetually with 24 hours total darkness in a 3x3 feet cell at the pleasure of the authorised person." wrote Robert Azibaola, lawyer for the Ogoni 20, June 1997.

In December 1996 the Ogoni 20's application for leave (to apply for enforcement of their fundamental rights) was rejected on 'technical grounds', a judgement that was in breach of the

Nigerian Supreme Court's decision that the applicant's liberties should prevail. Their Defence Council resubmitted the judicial review at a different high court.

After being granted leave on January 30, the Ogoni 20 re-appeared in court on February 18 to find that government lawyers has filed an objection to their application, stating that the case was under the jurisdiction of the Special Military Tribunal only. Another technical hitch invalidated the application.

Human rights lawyer Chief Gani Fawehinmi filed a suit at the end of March requesting bail for the 20. He said that "The feeding of all the applicants is incredibly poor and terrible... most of the applicants have developed various diseases." Babina Vozor "is now blind" and Kale Beete "is left with incomplete fingers," due to police torture.

In June, bail for the 20 was opposed by the government for the third time since their arrests in 1994. The prisoners decided to undertake a 10-day hunger strike from mid-August, to "protest against the government's decision to stall court proceedings." Samuel Asiga collapsed soon after.

Mr. Nyieda Nasikpo was reported on September 24 to be in a critical condition at the University of Port Harcourt Teaching hospital after collapsing in solitary confinement.

As the most powerful entity in Nigeria, there is no doubt that Shell could choose to spare these men's lives. The company's stated support for The Universal Declaration of Human Rights has so far led to no intervention. Will it stand by while 20 more people are hanged for murders they did not commit, before a kangaroo court? Or will it continue to congratulate itself for being the world's most profitable corporation while 20 more people waste away in jail? Shell must take responsibility for the Ogoni 20.

The Ogoni 20 currently are: Elijan L Baadom, John Banatu, Ngbaa Baovi, Kagbara Basse, Kale Beete, Friday Cburuma, Paul Deekor, Godwin Gbodor, Blessing Israel, Adam Kaa, Benjamin Kabari, Baribuma Kumanwe, Baritule Lebe, Taagalo Kmons, Nyieda Nasikpo, Sampson Ntiginee, Nwinbari A Papah, Zorzar Popgbara, Samuel A Sigha, and Babina Visor.

Ogoni refugees in West Africa

Up to 1000 Ogoni refugees who began fleeing *en masse* from Nigeria early in 1996 due to sustained repression in Ogoni are still living in squalid conditions in refugee camps across West Africa. Most are activists or supporters of MOSOP, including many families. Many are highly educated.

The refugees are living in camps and accommodation in Benin Republic, Togo and Ghana. Conditions are very poor. Food and medicine is in short supply, and clothing and shelter is inadequate. Moreover, the low level of security provided has resulted in armed Nigerian government agents being able to infiltrate one of the camps itself. Attempts have been made to kidnap some of the Ogonis, and Nigerian government influence with the host countries adds to their fear and insecurity.

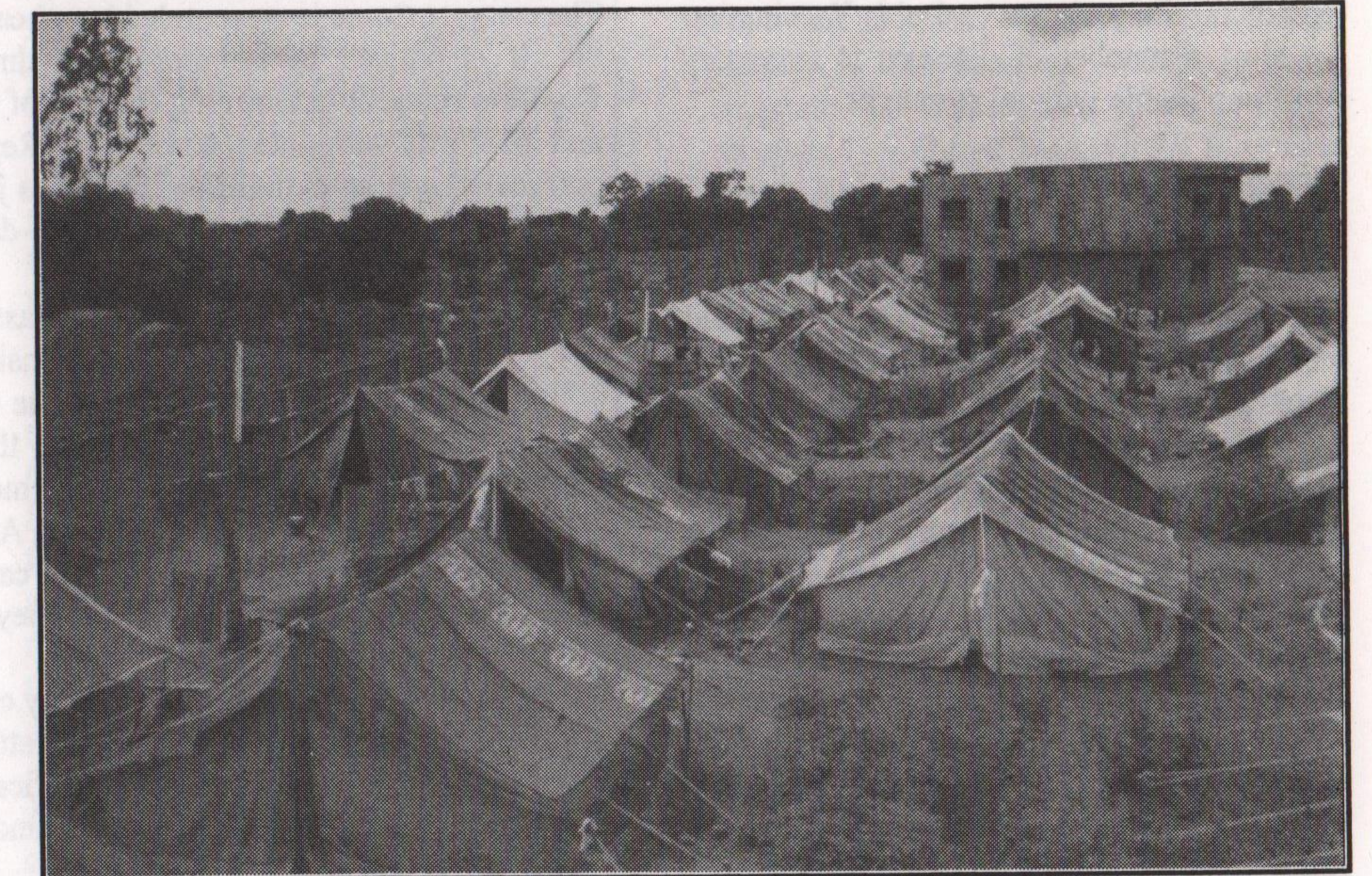
The refugees feel abandoned by the international community and are waiting and pleading for resettlement in 'safe' countries such as Canada and the United States. Several hundred have already been resettled. Visitors to the refugees are limited in the help they can provide.

Ghana

The five refugee families in Ghana have been seeking re-settlement in Canada for over a year. The refugees were in need of food, medicine and clothing, but the United Nations High Commission for Refugees (UNHCR) had helped provide basic accommodation. Their allowance from UNHCR had ceased early in 1997.

Togo

In Togo there are 45 Ogoni refugees (15 families) in hiding around city of Lome, and registered with the UNHCR. Most of those in Togo had also had their UNHCR allowance cut off, and require food, medicine, clothing and better accommodation. Language problems in French-speaking Togo has isolated the refugees and makes communication difficult. There is little money available for lessons or improving other conditions. The UNHCR is accused of harassing refugees and misleading people who enquire about their status.



Project Underground

Benin Republic

There are two camps in Benin Republic. One is the Iraoluwa camp at Cotonou which holds 300 Ogoni refugees, amongst other Nigerians. It is not secure, and free movement is allowed. The other is at Come, with over 600 Ogoni refugees.

The Come camp comprises rough land and an unfinished building, and is situated an hour's drive from the capital Cotonou. The refugees cannot leave the camp. The majority are Ogoni, with some Togolese, Sudanese and others. Most of the children are naked and the adults' clothing is heavily worn.

Housing

Most of the refugees sleep in simple tents supplied by the UNHCR. Others are crowded into the building on site. Five or six people sleep in tents designed for two. During the rainy season they either collapse or deteriorate within a few months, and with no drainage or groundsheet the inside is usually sodden.

Food

The food situation in the camp has been described as 'deplorable'. Despite some improvement from May 1996, the refugees complain that the supply is still irregular and insufficient. The quality of the food is also very low, with some products out of date or infested. The refugees are given 1.2 kgs of beans, 8 kgs of garri (cassava meal), 4 kgs of rice, 1 litre of groundnut oil and 4 small tins of tomato per person - per month.

The only significant protein source is 1kg of fresh fish, distributed once a month with no facilities for storage. The refugees have to use their own resources to secure more food. They cook for themselves and the charcoal supply is limited.

Medical

The medical staff are mainly French-speaking Red Cross workers from Benin who run a clinic for about 6 hours a day, with no night duty. The refugees are mostly English-speaking, which causes problems with diagnosis. The Red Cross support is inadequate for the reality of the camp's situation. One Ogoni doctor, who is a refugee, covers the off-hours and the nights.

There is a very poor drainage system which has led to a lot of waterborne disease such as giardia and dysentery, as well as infestations of worms. Diarrhoea, asthma, pneumonia, infections, ulcers and gynaecological problems are common. The mucus and fungi from damp tents cause skin diseases, and the overcrowding worsens the incidence of illness.

Pit latrines designed for 200 are used by over 800 people, with some overflowing. There are maggots and flies in the latrines and the immediate vicinity. The refugees cannot afford disinfectant and detergent to clean the toilets. Washing in the small number of 'bathrooms' involves bringing in a bucket of water.

There is a very limited supply of drugs and no necessary medical equipment. Sanitary protection for women is not provided, nor blankets and mattresses for babies, nursing mothers, the pregnant and old. Vaccination against a number of diseases is necessary but impossible without resources.

Educational and cultural

The refugees have organised two levels of primary education for young children within the camp, but the shortage of textbooks and basic materials like chalk and blackboards are posing formidable problems. Several relief agencies and NGOs have provided some seats for the students, and stipends for a few of the teachers. There are no training programs for the active youth in the camp, and secondary school students, university undergraduates and professional teachers are idle. Attempts are being made to secure lessons in French in order to help the refugees communicate with the Beninoise and keep people occupied.

The refugees have organised some religious, drama and sporting activity for themselves. Group political discussion continues but their freedom of expression has been curtailed with orders by the UNHCR this spring that they must not organise 'political activity'. They are also encouraged not to listen to the radio.

There is fear of an attack by the Nigerian army, and it is rumoured that the Nigerians are pressuring the Beninoise to move the camp to a bush site. Currently the refugees feel that Come inhabitants will react if the army attacks them, but relocation to more secluded area would increase the risk considerably.

Support from outside

Owens Wiwa from MOSOP Canada visited the refugees in December 1996 - with an emotional reunion. He held meetings with UNHCR officials regarding conditions, including the security problem, with representatives of the government of Benin Republic and various foreign government officials regarding resettlement and overseas scholarships for students currently in the camps. There were opportunities for meetings with NGOs, particularly Ghanaian groups concerned with environmental issues and labour rights, and with the media, which significantly raised the profile of the problem. Informal meetings were also held with Nigerian pro-democracy activists who are refugees in Ghana.

Diana Wiwa from FOWA and Nenke Jongkind from the United Church of Canada visited Ogoni refugees at the beginning of May this year. The visit was designed to provide moral, material and financial support to the refugees, and to meet with women, students and youth to

Ongoing security crisis at the Come camp

The camp at Come is surrounded by a head-height fence and the refugees are not allowed out. It is policed by no more than three local military personnel, with Ogoni and Togolese refugees performing the role of internal security. There is a great deal of stress and insecurity within the camp: Benin Republic and Nigeria are close geographically and politically, and an extradition treaty has just been signed. The serious security incidents described below demonstrate the day-to-day danger that the refugees are living in.

- ◆ April 2, 1996: A Nigerian Embassy vehicle was seen near the camp, with a camera and recording equipment inside. Two Nigerian security operatives were arrested taking photographs of the camp and the UNHCR offices at Cotonou, but later released without charge by the Benin gendarmes.
- ◆ April 15, 1996: An armed diplomatic official, Nigerian Navy Commander Joseph Ogbu Ochai, and the Beninoise Akohindo Honore, were found inside the camp, dressed in plain clothes. Ogoni camp security arrested them, and documents they were carrying confirmed that they were on a mission authorised by the Nigerian government.
- ◆ May 13, 1996: Nigerian security operatives armed with pistols and handcuffs and driving a Lagos-registered car attempted to abduct two Ogonis on their way to Cotonou. Beninoise security officers were present and did nothing to stop the action. Gordy Bariceba Harrison and Andy Yerebari Harrison managed to escape their kidnappers.
- ◆ May 15, 1996: Three Nigerian security operatives with false documents managed to impersonate Ogonis and enter the camp. They were identified by the internal Ogoni security, reported to UNHCR, and ejected. Each had Shell Oil identification cards on them.
- ◆ Other Nigerian government agents have infiltrated the camp, using bogus documentation such as MOSOP membership papers and 'referral letters' written on MOSOP-headed paper. In each case they have been identified and ejected.
- ◆ One refugee had been abducted from Benin in 1996 and is still missing.
- ◆ In summer 1997 Monday Kogbara was abducted from Come by Nigerian security operatives and badly beaten
- ◆ Two waves of arrests by Togolese security agents have led to 5 Ogonis being detained for short times

During spring 1997 it was known that 6 Ogonis were being held in detention. Patrick Took, an Ogoni, was expelled for not answering his name.

Shell and BP have recently occupied the building behind the UNHCR in Cotonou, adding to the refugees' unease.

assess the current situation in the camps and in Ogoni and to plan for the future.

Refugees from the Come camp in Benin informed them that the UNHCR had imposed a ban on visitors to the camp after Owens Wiwa's visit last December, based on false allegations of 'smuggling' literature into the camp. The UNHCR has since refused to respond to a letter to clarify the situation. Diana and Nenke were therefore forced to meet with some of the refugees outside of the camp during the visit. But before they could start talking, local Benin gendarmes in the presence of the UNHCR camp commander arrested them and held them without charge for four hours. The camp commander admitted to having called the gendarmes because Diana and Nenke had "taken away his refugees." He then refused to distribute clothing that they had brought. The refugees also informed Diana that bags of clothing given to the UNHCR last December for distribution had still not

been given out. One Nigerian source suggests that there may be corruption at the highest level of the camp administration, although there is no doubt that the UNHCR has at times been overwhelmed by the Ogoni refugee situation.

Another meeting with women, student and youth leaders was able to happen successfully. Fifteen women leaders representing all six kingdoms in Ogoni had taken the risk to travel from Ogoni for a specific meeting with Diana Wiwa in Benin Republic. The women were able to hand over the recent Federation of Ogoni Women's Associations (FOWA) Resolution made in Ogoni on April 25, 1997, which renewed the declaration that Shell is still not welcome in Ogoni, and which condemned the military siege. They also called for immediate and concrete international action against Nigeria, and continuing support from NGOs.

History of Ogoni refugees

Owens Wiwa, brother of executed Ken Saro-Wiwa and MOSOP activist, visited Ogoni refugees across West Africa in December 1996.

In 1992, Ken Saro-Wiwa wrote an addendum to the Ogoni Bill of Rights. In it, he appealed to the international community to accept Ogoni refugees. To most of us Ogoni, we wondered why he inserted that into the document since there was relative peace.

The Ogoni people generally enjoy being at home, to visit their farms, and to be present at all important cultural festivals. And such is our love for the land that most Ogoni outside Ogoni almost always come home, after their studies abroad, so that they can apply their skills to developing their homeland.

The concept of displacement first emerged in Ogoni during the Biafran war (1967-1970) when almost half of the population were forcibly evacuated by the Biafran army to the Biafran hinterland. Ten percent of our people died of starvation and other forms of dehumanisation in detention camps. Almost all Ogonis who survived returned to the land. None were to be found seeking re-settlement in other countries except a few in The Cameroons.

In 1990, the Ogoni people formed the Movement for the Survival of the Ogoni People (MOSOP) to articulate their concerns around the environmental devastation of their land by Shell Oil and the persecution they faced as minorities in Nigeria.

Between July, 1993 and April, 1994, there were a number of military raids on Ogoni communities that Shell Oil tried to characterise as 'ethnic clashes.' These so called 'ethnic clashes' left fifteen villages completely destroyed. The truth of the matter was that these were raids carried out by Nigerian military forces as punishment for the peaceful objections of the Ogoni people against the continued exploitation of their land and resources.

There were also raids at that time against Ogoni settlements and houses in Port Harcourt, the oil city in the Niger Delta. These raids led to more Ogoni people being displaced within Ogoni. MOSOP quickly set up an 'Ogoni Relief and Rehabilitation Committee' which I was privileged to coordinate. Appeals were made to Nigerians and the international community to come to the assistance of Ogoni. The

response was generally poor. Instead, the Ogoni people were able to help each other, and over thirty thousand internal refugees were partially rehabilitated.

There were a few exceptions of outside assistance. Sister Majella McCarron of the African Justice and Peace Network brought nets and other fishing gear to help fisherman at Kaa. There were also visits from the Canadian, Austrian, and American Embassies.

The Canadians helped re-build a primary school at Kaa that had been destroyed in the Nigerian military raids. Trocaire, the Irish aid agency, working in tandem with the Daughters of Charity, a Catholic agency, gave assistance to the Ogoni in re-building eight villages. The Daughters of Charity also helped by bringing clothing and food to the victims.

All of the above mentioned raids on Ogoni communities caused the death of more than one thousand Ogoni people. Gunshot wounds, malaria, gastro-enteritis (cholera), and typhoid fever were rampant among the survivors. Ogoni nurses and doctors came together to treat their people. Villages not affected by the raids offered food and shelter to the victims. Ogonis themselves successfully brought the situation under control.

Following the murder of four Ogoni chiefs on May 21st, 1994, by people suspected to be *agents provocateurs* of the Abacha regime, the Nigerian military regime unleashed its anger upon the Ogoni people. Entire villages were liquidated and thousands of Ogonis were forced to flee into the forests and mangrove swamps. Soldiers looted property, burned houses, and ate the livestock in the villages. Some Ogonis fled to neighbouring communities in other parts of Nigeria as the genocidal activities of the regime worsened.

On November 10th, 1995, Ken Saro-Wiwa and eight other activists were judicially murdered. More intensive repression followed, and for the first time, thousands of Ogoni people fled Nigeria for other countries.

Presently, there are over seven hundred Ogonis certified as political refugees by the UNHCR, scattered in camps in the Republic of Benin, Togo, and Ghana. Some have moved to The Ivory Coast, Mali, Senegal, Gambia and other nations. Like the Biblical Israelites, we have been persecuted, displaced, and left wandering. And all because of Shell Oil.

Resettlement?

"We have been here, some of us, for more than a year. What can we do? We wait and hope that someone will accept us into their country - that someone wants us. That someone is willing to accept Shell's refugees." - *Ogoni man, UNHCR refugee camp, Benin Republic, April 1997 (quoted by Project Underground).*

By December 1996, the UNHCR had interviewed 200 asylum seekers at Come to attest whether they qualify for refugee status. 20% qualified for resettlement in a third country, 60% were to be given refugee status and remain with the UNHCR in Benin Republic, and 20% were not to be given refugee status. By summer 1997, the United States had resettled 61 families from the camps. Owens Wiwa told DELTA, "We appreciate the help given so far, but a larger and more concerted international effort must be made to make sure that the Ogoni refugees are safe and healthy, and will be re-settled in countries such as Canada and The United States until they can safely return to their rivers and fields in Ogoni."

Shifting clouds

Trapped
Again I sat under
The canopy of the clouds of
Broken pieces monster blocks and
Sometimes a face smiles suspiciously
In the shifting caps

Suspected pregnant I
Began to test the clouds
Palpitating and stethoscoping
I heard the heart beats
Of retreating rain

Trapped
Again I sat under
The canopy of the clouds of
Broken pieces monster blocks and
Sometimes a face smiles suspiciously
In the shifting caps

Covered by the blue skin of the clouds
I punctured a hole
& filled it with thoughts of an impending storm

I hear like they say the deaf hear
For my eardrums are burst
I run on hind's feet
For beneath my knees are no hindering legs
I see in the absence of light
For His glory glows unchecked
Pupils dilated all logs fall off
And I see the speck in your ugly face
Even when I am asleep

Nimmo Bassey

Serial liars

Thanks to Milieudefensie and Project Underground for the collation

Promises

The amount of associated gas in Nigeria will be reduced by 40% in 1998, mainly due to the Liquefied Natural Gas Project

Shell's Group Chairman Herkstroter in reply to questions from Milieudefensie at the shareholders meeting, May 16, 1996

"The Royal Dutch / Shell Group commits itself to..."

Shell Health, Safety and Environment Report, May 1997

Shell-Nigeria "is now carrying out Environmental Impact Assessments (EIA's) for new projects, which meet international standards..."

Letter from Shell International to Milieudefensie, July 12, 1994

Shell Nigeria "cleans up all oil spills and reports them to the Ministry of Petroleum Resources".

Written response from Shell to questions posed by Milieudefensie and other organisations at the shareholder's meeting of Royal Dutch, the Hague, May 15, 1996

"The Kolo Creek flow station (Bayelsa State) provides associated gas for a rural electrification scheme that delivers electricity for 86 villages".

'Harnessing gas', SPDC (Shell-Nigeria), August 1996

"Shell-Nigeria recognises the importance of maintaining good contacts with the local population in its areas of operation".

Letter from Shell International to Milieudefensie, July 29, 1993

Practices

"Towards the year 2008 the company wants to have finalised an installation that liquifies associated gas for export".

M. Brandt, policy adviser for Environmental Affairs of Shell International, in the Dutch daily NRC Handelsblad, May 7, 1997

"We do not commit ourselves to but aim at these targets".

Shell representative to ECCR, March 25, 1997

In September 1996 villagers from Eket and Uguolbeno (Akwa Ibom State) stopped Shell and Western Geophysical from continuing seismic operations, demanding an EIA. The villagers are also unaware of any EIA regarding the pipelines of the LNG project, approved by Shell at the end of 1995. An environmental lawyer has sued Shell over this project.

On April 16, 1997, researchers found oil spills in the village of Ukpeleide, where apparently no clean-up has taken place, "...an occurrence that may not seem to strike the villagers as out of the ordinary. Levels of hydrocarbons of this community's drinking water were found to be 680 times higher than EC standards."

Project Underground, Independent Annual Report, May 1997, p6

"Despite Shell's claims to the contrary, [...] gas is still being flared at the Kolo Creek flowstation. The gas turbine looks abandoned."

Environmental Rights Action (ERA) Monitor Report #2, by George Frynas, March 1997, p. 5

"... company staff who were not from the oil / gas producing areas have no sympathy for the communities [...] They did not cooperate [with the study]".

Quote from a confidential report of the Shell-initiated Niger Delta Environmental Survey, in ERA Monitor Report, March 1997.

Charge against Shell	Initial Shell response	Current Shell response	Independent appraisal
Environmental devastation	Denial	Qualified admission	Confirmed
Community manipulation and division	Denial	Qualified admission	Confirmed
Payments to the military	Denial	Qualified admission	Limited confirmation
Collusion with the military to suppress dissent	Denial	Denial	Limited confirmation
Bribing of witnesses at Saro-Wiwa's trial	Denial	Denial	Confirmed
Acquisition of weapons	No mention	Qualified admission	Limited confirmation
Logistical support for the military	Denial	Qualified denial	Limited confirmation
Existence of Shell Police	Qualified admission	Qualified admission	Confirmed
Attempted coercion of activists	Denial	Qualified denial	Confirmed

Tribute to Claude Ake

As a tribute to political economist Professor Claude Ake, who died in a plane crash on November 8, 1996, DELTA features two interviews with him, and one from close friend Owens Wiwa. Below is the final interview Ake gave, recorded one week before his death. This previously unpublished record of his thoughts on Shell's purchasing of arms and admission last November to paying the military shows how his presence was a constant thorn in the sides of the military and of Shell. The second interview was recorded just after the murders of the Ogoni Nine.

Depending on who you believe, the flight which carried Ake either banked to avoid another aircraft, and then crashed, or was deliberately blown up by a bomb planted on board to eliminate him. The latter is the belief amongst many political observers, and is perfectly feasible considering the ruthlessness of the Shell-backed Nigerian military: twice before the regime has blown up flights to kill political opponents.

Interviews by Andy Rowell.

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Kay Bishop

Andy Rowell: How do you react to the news that Shell was paying field allowances?

Claude Ake: These new findings about the support of Shell to the Special Security Force confirms what we have been saying all along, that essentially Shell has been driving the violence by creating excessive concern about security in the mineral producing areas and by thinking of ways to reinforce coercive mechanisms which also drove it to the importation of arms. At the same time it has been giving the impression that the whole question of law and order or coercion is really a matter for government, while in fact it has been communicating the insecurity to the government.

This is why I think I have always felt that there was much more responsibility to be laid at the foot of Shell than people imagined at the beginning.

AR: Do you think Shell misled the public?

CA: Shell has been misleading the public. This has always been our point: that Shell is driving the violence by exaggerating the need for security, by exaggerating the anger in the mineral producing areas and by its support, sometimes illegal, to people who have been maintaining security. The whole question of the smallness of the amount is totally irrelevant. The fact that it is paying anything at all to Okuntimo and that

security unit is what constitutes not only corruption but driving violence and a clear act of hostility against the people of the Delta region.

AR: What would be your reflection be on the fact that they admit providing logistical support?

CA: It has no business providing logistical support. My point, which I have made repeatedly to Shell executives and in the Nigerian Press, is that whatever their shortcomings, it is our government, and Nigerians can sort out their problems with the Nigerian government. We cannot accept a situation where Shell privatises the state, because Shell is not answerable to the public. Any kind of logistical or military support or whatever that Shell is providing to anybody, or any claim it makes on coercive resources, is a process of the privatisation of the state. This can have very serious consequences for political legitimacy, for sparking off radical, social movements and systematic breakdowns. The implications of this are very serious. If the government itself is coercive that is another matter, at least the government is responsible and can be held responsible by Nigerians. But Shell is not an official government body, and has no business in these concerns and the international community must understand the implications of this type of behaviour.

AR: Do you think Shell has changed in the last year?

CA: They are just doing more public relations and they are not addressing the issues. I have again had vocation to speak to one of their executives to remind them to address the issues for the sake of peace and for the sake of stability of Nigeria, instead of continuing with so much effort on public relations. So again this is not a side issue. I have actually undertaken to appeal to them privately, in a non-confrontational manner, on the need to address the issues, and the futility and dangers of just continuing with their mindless persecution of public relations which is not really helping matters.

AR: Is there anything else you want to add?

CA: I just hope that this will be an occasion for everyone to rethink what has gone before and hopefully to take this as an occasion to move in a more positive direction. There is nothing to be gained by confrontation and the feeling that anybody can get away with perpetrating an injustice indefinitely. I think it is simply a matter of objective conditions catching on. It will be cheaper for everybody, better for everybody, if we try to negotiate some consensus. I hope that this can begin to happen.

November 1, 1996

Andy Rowell: If you could advice Shell the way forward, what would that advice be?

Claude Ake: I had been advising them already. I was anticipating all these tragedies. I was advising them that it was necessary for a more comprehensive dialogue with the communities and I was even offering to help a comprehensive dialogue between Shell, the communities and the government, because I felt that the possibilities of conflict and violence in the oil producing areas was quite real, this was long before what happened. The reality is the depth of feeling and the sense of powerlessness within the communities is very serious. Never mind that it does not manifest itself in outbursts, but nevertheless the mutual alienation is very clear. The situation right now, is that all the stations, that is the operational bases of the oil industry, operate under armed presence. This is a process of the militarisation of commerce and the privatisation of the state,

and I have actually used these phrases with discussion with Shell Executives.

Sooner or later, I have let them know that a real danger for them is not even an oil boycott, but ordinary European and Americans catching onto this process of the militarisation of commerce, and that the oil that they are getting at the petrol stations is collected through an armed presence. This is not something that any amount of propaganda is going to be able to explain.

I have advised Shell that they can get better public relations without spending more than they are spending now, without even spending more than the government is spending on the communities in the Delta....

If it is properly focused at the real community level and with good management, that would go a long way to creating peace. I am not one of those that feels that 50 per cent or 100 per cent should be given, the money should be used for developing the country. This is what I have been urging Shell to do.

AR: Shell denies causing environmental devastation. What do you think?

CA: They are causing a lot of devastation, it is not only Shell but all the other companies. Where I come from was completely polluted by a blow-out, eleven years ago. This was the Nigerian Agip Oil Company. I had to sue them on behalf of the community. They simply laughed at first. When you go to any of the rivers or the entire Port Harcourt coast, anywhere you go you see a film of oil in the water. This is a permanent feature. The pollution of underground water is obvious. It is not deniable... and the flares all over the place.

AR: What is the flaring like?

CA: They have not in fact studied it. They don't really know. The World Bank thing that they are quoting from also says that they have not in fact studied it... Flares are harmful to health. The temperatures are incredible. They dry up everything in the vicinity and the soot is all over the place. How can they say that it is not harmful. You can feel the heat. You are already dealing with tropical heat. It is not just pure flame it comes with soot. It is constant. It is night and day pollution. This is the kind of crude arrogance that incenses people. It is unthinkable that such a thing would be in Britain, so for somebody to think that it is not harmful, these are the things that are getting people incensed.

AR: And sabotage?

CA: This is the insensitivity... There was only one case, the one that they refused to clear up, saying it was damaged by the people. There is no other place... People know that this is completely false and irresponsible, and it makes people mad, and this is the problem. If this is the case, why not bring in an independent person to judge this. Victimising and blaming...

The level of frustration they cause for a minor claim. You can spend four to five years shuffling back and forth and the value of that claim may be less than 70. How can you determine beforehand that the pollution is being done by the people, when the operations are being carried out under armed guard. The facilities are not accessible. In fact the K-Dere flowstation, this was built in the middle of a community, a settlement, and high pressure pipes in front of the houses. Shell now turns around and tells people that the community have built houses there. Tell me how they would allow people to build a house with a doorstep two feet from pipe-lines. This kind of irresponsible propaganda, gives the impression of not taking the people seriously. This kind of style is causing a lot of anger. I think it is necessary. A little amendment of style could go a long way.

AR: Are they under military protection?

CA: I have even discussed with Mr Achebe what I call the privatisation of the state. That is what Shell are doing. Policemen in the country's uniform are all over the place, with patrols and guns and so on, completely in the service of the company and they are supplied to ordinary police operations. They will supply patrol cars... Is that not the privatisation of the state. What resource can ordinary people have in that kind of situation. They know that it is corrupt. It is not the government that is asking them to do this. You cannot privatise the state and at the same time say that your operation is immune from politics and oppression. It operates under the umbrella of repressive apparatus. This increases the alienation and makes it impossible for environmental issues and human rights issues to be discussed at all. Force pre-empts all those things so that the issues are not addressed, much less resolved, so the alienation is increasing not diminishing.

AR: And so the way forward?

CA: The lynch-pin is still Shell. It straddles the community and the government, if Shell were to come back to its senses and

abandon the siege mentality, and lets start again, I think many people would be quite happy to cooperate.

I think what people can do is to persuade Shell that it is not possible to continue this process of the militarisation of commerce, however much you have the power to do so, because sooner or later the tragedy escalates against the background of what has already happened. This phenomena is known that this oil is extracted under armed presence. The kind of reaction that you could get from civil society could destroy Shell.

I suspect that 10% of what has been spend in worldwide advertising and public relations by Shell since this thing happened could already have made a decisive difference in Nigeria, if it wanted to do the proper thing. I think that what people can contribute is trying to persuade Shell to be conciliatory.

December 1, 1995

Andy Rowell: How do feel about Shell's admission to paying the military?

Owens Wiwa: It just shows that time brings out the truth. Right from 1993, very early, I have known about Shell's payments to the military. I served in the military, I did my national service in the military at // College. Most of the time I used to spend with my friend who was a Commander of the Navy in Port Harcourt. Lieutenant Commander Boro, he was a member of the Rivers State Security Council, at that time. He used to tell me about all these things. This is not anything new to me. The fact that they are now agreeing to what they have done. It gives an indication of... All the human rights abuses perpetrated by the solders should be the responsibility of Shell because the first that any army personnel came to Ogoni was under the invitation of Shell, that was after the civil war of 1967-70.

The second time the Army came to Ogoni was when Shell invited them to go with Willbross to do what they did on April 28 1993. After then the army have been coming at the request of Shell, and this army would not come if they were not being paid any extra money. Okuntimo has told me himself, when I was in detention, that he was being paid by Shell, and he had a problem with Lawson Jack, and that MOSOP and him needed to work together to see that Lawson Jack got out of Shell in Port Harcourt and that was the only way we

were going to get what we want. So we asked him why and he said that Lawson Jack was undercutting him. Ledum Mitee was there.

AR: Do you hold Shell responsible then?

OW: I and we hold Shell responsible for the human rights abuses that have been going on there. Lets us make things very clear, Major Paul Okuntimo was the head of this army who Shell was paying, Major Paul Okuntimo was present in court throughout the period that Ken was being tried by that military Tribunal. Major Paul Okuntimo, who was being paid this money, because they used to pay this money through him, was also the person who personally torturing Ken in the military camp. So you can see the hand of Shell in all these situations up to when he died.

AR: What is your response that they also provide logistical support for the security services?

OW: Well, my response is that it shows clearly, it shows clearly that alliance what we have been talking about, it shows clearly their responsibility in the killings and the rape of the Ogoni people in the dehumanisation of the Ogoni people and... It shows very clearly the linkage and its shows why Shell should be on the dock of public opinion and also should be in court, and not the Ogoni people and not the Ogoni 19. It should be Shell. Its shows the evil of the company and if people do not do something, withdraw their money from the shares Shell, then people are saying what Shell are doing is acceptable, because it is happening in Africa, but it wouldn't be acceptable in the North. People should be concerned about this phenomenon of environmental racism and .. treatment of indigenous people in different places and people of colour by transnational oil companies. We cannot continue to survive boardroom genocide like we have just suffered. That's what they call it - boardroom genocide.

AR: What is your response to the arrival of five more truckloads of troops?

OW: In South Africa, people were allowed to mourn their dead, during the period of apartheid. There is no reason why we should not mourn our dead heroes. It shows the evil of the Abacha regime and it also shows the complicity of Shell, because Shell have been putting on a lot of pressure, they have intimidated, and been bribing people to sign documents allowing them to come back to Ogoniland. Two thousand people dead, twenty seven villages destroyed and all they want to do is to come

back there and drill more. We are of the opinion that they want to complete the genocide that they have started. The Ogoni people are going to come out to show that they are worried about their environment, to show that people who died are heroes. If the world keeps quiet in this case, we are going to alert them, NGO's to tell the Abacha people not to kill.

AR: In January you held Shell responsible for Ken's death. Is that the same?

OW: It is reinforced. When I came over to Britain, what everyone was talking about was that Shell did not do enough to prevent the killings. My own opinion is that Shell did everything to see that that killing went on. You only had to be in Nigeria towards the end to see the publicity Shell were doing. They were accusing MOSOP of violence, they were accusing MOSOP of sabotage - the punishment for sabotage in Nigeria is death, and Shell up until this day is accusing us of sabotage.

We are not going to allow our leader to have died in vain. We do appreciate what everybody did in the attempt to save their lives. We appreciate and are hopeful and we hope that people will do the same for the Ogoni 19 who are still in detention now. In so much as we are much as we are remember Ken Saro-Wiwa and eight other colleagues who have been murdered by the alliance between Shell and Abacha, we are also going to put the issue of environmental protection of all the peoples' of colour all over the world up to the forefront.

The issue of Nigerian democracy up to the forefront and so people will remember that the situation in Nigeria has gotten worse. There has been specific targeting of Ogoni women, dehumanising them with specific economic disempowerment, because they have found out that the womens' groups have been very strong. We do hope that people will not allow Shell to go back to Ogoni without talking to the concerns of the Ogoni people. Ogoni people are still under arms, are still under a lot of tension, they are being traumatised, and it will be diabolical, it will be evil for any company to do anything in Ogoni without remembering the people who are dead.

3 November 1996

"We didn't we wouldn't we did pay the military" ... quotes for the record

"We categorically deny that we paid money to the likes of Okuntimo"

Shell statement to the Guardian, 14 January 1995

"Shell is not in collusion with the military. It has stated publicly it does not wish for a military presence to maintain operations. Shell has repeatedly condemned violence, by anyone".

Shell leaflet to shareholders, May 1995

"It is not true, as has been claimed, that Shell supported any alleged operations of a task force under Lt. Col. Okuntimo in Rivers State".

Background Brief for journalists. Shell Nigeria answers allegations of bribery, 8 November, 1995

"We have no links with the military".

Press Release by Shell Nigeria Managing Director, Brian Anderson, 14 November, 1995

"Shell opposes all kinds of violence used to solve disagreements. The claim of Shell requesting help from the 'occupation forces' is totally unfounded".

Rolf Hasselblat, Director General, Shell, Finland, 15 November 1995

"Shell has not and never would collude with the Nigerian military authorities or security forces. Shell has not been involved in any actions by military forces in the area".

Shell UK Press Release, 21 November 1995

"Shell denies any collusion with the Nigerian military"

Advertisement in the Times, headed This is where Shell Stands, 26 November 1995

"Such accusations, for example of colluding with the military to subdue Ogoni's campaign for a better deal, are totally false. The facts have often been distorted or ignored".

Peter Bright, head of External Affairs, Shell International, 1 December 1995

"We categorically refute that any form of input was ever provided to the military; neither would we do so if approached on such a matter".

Shell statement to the Independent on Sunday, 17 December 1995

"Shell Nigeria has not authorised any financial support to the military"

Shell Statement to the Sunday Times, 17 December 1995

"We have never supported any military action in Ogoniland and have frequently stated that we do not believe violence is the answer to the complex problems facing the Ogonis".

Malcolm Williams, Head of External Affairs, Letter to Body Shop, 27 October 1996

"We have paid the military, but only on two occasions, one of which was to go and look for a fire engine. We did pay Lt.Col. Okuntimo field allowances on that occasion but it was only enough for about two meals a day".

Eric Nickson, head of Media Relations, Shell International, 6 November, 1996

"The company has made no secret of the fact that it was required, once in 1993, to pay field allowances, that is meal allowances, to a Nigerian army unit."

Shell, 21 December 1996

Shell AGM

Resolution 10, the shareholder resolution presented to Shell's AGM to improve the company's performance and accountability on environmental and human rights issues, was surprisingly victorious in its defeat. The Board recommended voting against the Resolution, put forward by the Ecumenical Council for Corporate Responsibility and backed by the Pensions and Investment Research Consultants, PIRC, on the grounds that only it can be responsible for policy. and its monitoring.

The ECCR had called for a director to be appointed to implement environmental policy, that there should be internal procedures to monitor policy and external review and audit of policy, and finally that there should be regular reports to shareholders on the above and on Nigeria. 5% of the total shareholding voted for the Resolution. And it wasn't just one or two 'responsible' investors and a few dozen single shareholders who voted for it: 17% of the company didn't support the board.

Media coverage of the Resolution was excellent. The Times wrote 'Shell wins vote but loses ground to green lobby' and in the Netherlands even conventional shareholders present at the meeting backed Milieudefensie and so it was clear to the press who had won.

Institutions which would normally have deferred to the Board had discussions with the company. The process of the Resolution strengthened those within the company and in other companies that want change for the better, with environmental and human rights issues on the agenda.

An open letter addressed to shareholders and signed by dozens of environmental and human rights groups worldwide called on Shell to help free the Ogoni 20 and to cancel plans to drill appraisal wells on the land of the Kugapakori and Nuhua peoples. It demanded an end to its efforts to resume operations in Ogoni, and a suspension of work in Peru.

An Independent Annual Report was launched at the AGM by Project Underground and Rainforest Action Network. Titled 'Human Rights and Environmental Operations Information on the Royal Dutch / Shell Group of Companies', and covering Nigeria and Peru, the report details the gap between Shell's PR spin and the reality on the ground. For Nigeria, it examines the environmental impact of the company, with new data on oil contamination of water, and addresses community manipulation, activist coercion, and the nature of the Shell Police.

Business principles in the air

In March Shell issued a new set of business principles that called for respect of human rights "in line with the legitimate role of business." Friends of the Earth Netherlands (Milieudefensie) wrote that it remains sceptical about Shell's new General Business Principles as long as the company rejects independent monitoring of its environmental performance. It quoted the newly-published Environmental Rights Action monitor report, which evidenced that Shell's practice in Nigeria lags far behind its promises. Details of exactly how Shell will act according to its principles, and how it will monitor this, were hazy.

Double high standards

Despite a humiliating defeat for the Tory Party in Britain this May, it is clear that capitalism will continue for the immediate future. The incoming Labour Party believes that an ethical foreign policy is consistent with industrialism and the profit motive. On the day that he announced a 12-point 'ethical foreign policy', Foreign Secretary Robin Cook also gave the go-ahead for the sale of Hawk jets to the Indonesian regime for use in East Timor. Arms fairs selling torture equipment are also allowed to continue despite massive protests.

Constructive disengagement

Former chair of BP Lord Simon is now Minister for Competitiveness in Europe in a fairytale wedding of corporate and government interests. Growing environmental awareness in the 'West' has brought individuals and groups together with a common aim to help extricate culture from the clutches of the unsustainable fossil fuel industry. Several grassroots gatherings have started to bring an appreciation of the industry's strategic role, and a growing number of actions are challenging it. Larger groups such as Greenpeace are fighting the corporations at the Atlantic frontier and pushing for an end to the fossil fuel age itself. Many have a strategic focus on the forthcoming Climate Change Conference in Kyoto, Japan, this December.

Internet

To subscribe to the global e-mail list on Shell and Nigeria, send an e-mail to listproc@essential.org with the message: subscribe shell-nigeria-action <your e-mail address>. To post information, address your message to: shell-nigeria-action@essential.org

DELTA is now on the web, thanks to Oneworld. It can be found at: www.oneworld.org/delta

The Pace Environmental Law Network has made public for the first time the environmental laws of Nigeria. The details can be found at: www.law.pace.edu/env/nigerian.html

Unfortunate

Fortune magazine's list of the world's 500 biggest companies showed that the most profitable company on the list was Anglo-Dutch 'oil colossus' Royal Dutch/Shell Group, which earned \$8.9 billion on \$128.2 billion in revenues.

All new Shell men

Jennings has been replaced by Moody-Stuart as Chairman, and Anderson leaves Nigeria to Van den Berg.

The Grand Transition to Democracy

It seems that Abacha's promise to the world to hand over to civilian rule very soon may not have been genuine after all. He has tampered with the timetable of the transition

process to help ensure his self-succession as civilian president or to provide time for whatever else he may be planning. Elections for governorship have been postponed till October 1998, when

presidential elections are supposed to take place, while those for the legislature are scheduled for December 1997.

All pro-democracy activists and opposition parties say that the transition program is a farce. Ayo Obe, president of the Civil Liberties Organisation said, "The entire transition programme is a sham," copying previous transition programs that got nowhere. Former US ambassador to Nigeria, Walter Carrington, noted how amazing it is that in the most politically

dynamic country in Africa there is no-one willing to stand against Abacha.

The general has the power to dissolve any of the political parties which will stand 'against' him (they are his parties but there is the risk of disobedience) and can sack any elected government chairman. "He gives himself new powers whenever he feels like it to make sure he is fully provided for," said a spokesperson for the Democratic Alternative.

Government sponsored rallies are taking place, diligently reported by the official media, especially state television, and front groups have been set up to support the process (one enthusiastic group is called 'Youth Earnestly Ask For Abacha 98'). All government ministers and a growing number of chiefs from around the country have been pledging their loyalty for Abacha, saying he can successfully "unify the military and civilian constituencies". Just after his release from detention in April, former oil minister Dan Etiebet changed his politics and declared support for the party likely to put the new president forward, the growing United Nigeria Congress Party (UNCP), and several other potential rivals have also agreed not to stand against him. Politician and minister of transport in the Second Republic, Alhaji Umar Dikko, said in August, "I will support Abacha any time, any day".

There are still some opponents and former

colleagues of Abacha who are openly against his plans, however.

Exactly what other soldiers want is not clear, and although at the end of

Plus ça change...



Abacha learns about recent developments in genetic engineering

September army leaders pledged support for Abacha if he decides to seek election next year as a civilian, he certainly does not have full support for civilian president from this crucial constituency (Nigeria has had more coups than any other country). To hold on to power instead of handing over to a democratically-elected civilian government (difficult when an estimated 7000 political opponents are in prison), he could set up a 'national security Council' made up of senior officers to supervise 'further transition' to civilian rule, set up a transitional government, perhaps even with

Abiola as head, or even set up a government of national unity. Whichever approach is used, the choice no doubt depends on his analysts' view of the most successful way to try and neutralise opponents and divert calls for sanctions as he consolidates a different form of rule.

During the 1993 Guardian Lecture in Lagos, Claude Ake said, "It is difficult to think of anything that the military can usefully do to promote democracy or development except to disengage from politics." This sentiment was echoed in a New York Times editorial on August 6 this year: "Nigeria's military will find it easy to contribute to democracy at home. It need only go back to its barracks."

At the grassroots in Nigeria, support for the transition process was shown graphically in major towns of Osun State where not one registration for the new voters' register was recorded. In Lagos and in Oyo State, officials recruited by Necon, the National Electoral Commission of Nigeria, did not even turn up for work.

Catholic bishops at their September conference in Oyo, Akwa Ibom state, criticised military intervention in politics and told Abacha not to contest next year's presidential poll. The general can easily weather comments by bishops, but his plot to succeed himself may be thwarted by action taken at a much higher level: the Anglican Bishop of Akure told journalists in August that "Abacha's candidature will not be approved by God".

Diplomatic reality

In July in the US, the Nigerian government's corporate-backed 'Vision 2010' committee gathered Nigerian apologists to plan strategies for redeeming Nigeria's external image. But relations with the US and other countries have been strained. Walter Carrington, then US ambassador in Nigeria, criticised Nigeria's human rights and transition program. Abacha said his administration was "absolutely perplexed and confused at the attitude of the American government", and a few days later decided it wanted Carrington's diplomatic immunity withdrawn in order to question him over the many bomb blasts that have hit Nigeria. Just before a meeting between the Commonwealth Ministerial Action Group, CMAG, and Nigerian dissidents in London in July, Foreign Secretary Robin Cook also criticised Nigeria's lack of democracy, human rights abuses and corruption, and recommended that its suspension from the Commonwealth should continue. The Nigerian government replied that such comments were "hostile and definitely unhelpful to the improvement of relations." Then, angry at South Africa's role in

"anti-Nigerian propaganda" at the Commonwealth, Nigeria's information minister Dr Walter Ofonagoro called South Africa "a white country with a black head of state", enraging the African National Congress.

In an interview with the Financial Times as the CMAG meeting began in July, the Foreign Office minister responsible for Africa, Tony Lloyd, said that Britain would not accept a victory by Abacha unless flaws in the poll process were remedied. "At the moment it is flawed. We know that the process of establishment of political parties has been so one-sided as to guarantee that there will be one serious candidate...[resulting in] the transition of General Abacha to President Abacha. We cannot accept that." A wide registration of parties was required for the transition program, he said.

"If the international community had supported action against Nigeria when the opposition movement called for it then this military junta wouldn't have stabilised as much as it has," said Oche Onyeagucha from the Democratic Alternative. Although the CMAG meeting resulted in no specific further measures against Nigeria, the opposition used the opportunity to call for more pressure: "Concerted action by the international community, and by this I mean real sanctions, can bring about the desired effect," said Senator Abraham Adesanya, acting chairman of the National Democratic Coalition (NADECO).

At the Commonwealth Heads of Government Meeting (CHOGM) this October in Edinburgh, opposition groups are calling for continuing suspension of Nigeria from the Commonwealth, or outright expulsion. Nigeria has violated all the conditions set by the Commonwealth in 1995 to avoid expulsion, including reaching democracy within two years. Ledum Mittee, acting president of MOSOP, toured major Commonwealth countries in August and pressed for action. But Nigerian opposition groups have complained that the Commonwealth bodies hardly listens to them: CMAG, for example, refused to meet them while in Nigeria. Activists also note that the ousted Sierra Leone president is participating at CHOGM while the president-elect of Nigeria, M.K.O. Abiola, still languishes in jail. They complain that the international community is happy to support Nigerian-led ECOMOG troops backing the people against military coupists in Sierra Leone while Nigerian opposition groups, fighting their own illegal military regime, receive very little support. Perhaps Shell knows the answer.

One body which formerly abstained from comment has found the courage to speak out. Africa Confidential reported on July 4

that at the June summit of the Organisation for African Unity in Harare "OAU Chairman Robert Mugabe replied [to a host of questions about Sierra Leone] by denouncing coups everywhere, emphasising that OAU support for peacekeeping in Sierra Leone did not mean support for Nigeria's undemocratic regime. Even some West African governments, usually respectful of Nigeria, pointed to the discrepancy between peacekeeping and Nigeria's own record on human rights and democracy." Mugabe added that "The Continental Body has not accepted all that is happening in Nigeria and is monitoring the transition process."

The Joint Assembly of the European Union and the African-Caribbean-Pacific Organisation (ACP-EU) has also spoken out. Meeting in March, it condemned the Abacha regime, called once again for an oil embargo, and urged the Commonwealth to exclude Nigeria from its next summit.

Sanctions

Opposition to the Nigerian regime has been growing at many levels in the United States, the greatest consumer of Nigerian oil.

On June 4, US Republican Donald Payne introduced HR 1786, 'The Nigeria Democracy Act' into the US Congress to impose the first economic sanctions against the regime. In addition to endorsing the limited sanctions already imposed by the Clinton administration, the bill would also ban new US corporate investment in Nigeria until there is real progress towards democracy. The bill's other key provisions include:

- ◆ A ban on U.S. arms sales
- ◆ Denial of visas to member of the military government
- ◆ A ban on direct air travel between the U.S. and Nigeria
- ◆ Denial of U.S. economic aid except for human rights and democracy programs
- ◆ A freeze on the personal assets of members of the regime
- ◆ US opposition to loans from the IMF and the World Bank

The American Committee on Africa welcomed the bill, with ACOA President Rev. Wyatt Tee Walker saying, "There can be no business-as-usual with a regime that is brutalising 100 million African people." By the end of September the Bill had 37 co-sponsors (31 Democrats and 6 Republicans).

The Nigerian government, in conjunction with Shell, lobbied hard to defeat similar legislation in the last Congress. The Washington Post reported that Nigeria

spent more than \$10 million in the US on lobbying and public relations efforts in the year following the execution of the Ogoni Nine. At the beginning of this year, the head of Conoco called on the oil industry to wage a major political push to change US sanctions policy, and the group USA Engage, a coalition of US companies, trade groups and think tanks, was soon set up to lobby against unilateral sanctions.

The 1000 member US conference of mayors passed a resolution at their annual conference in San Francisco in July calling for Nigeria's military government to restore democracy, respect human rights and release political prisoners.

A national advocacy day for Nigerian democracy was organised in mid-September by The International Roundtable on Nigeria (IRTON), a coalition of environmental, human rights, labour, religious, African American and Nigerian democracy organisations. The groups met in Washington DC to demand a return to democracy, an end to human rights violations and an end to environmental devastation in Nigeria. They briefed people about the Nigeria Democracy Act and lobbied the US Congress to take a strong stand on Nigeria.

By early October the Clinton administration was looking at the possibility of further sanctions - but not the oil embargo which would make a significant difference. US Secretary of State Warren Christopher, speaking from Africa, said, "I think we'll be starting a round of consultations with Commonwealth countries and our European allies to see if we can find support for taking further action." Nigeria Today reported that earlier this year the United States was discussing with African countries and European allies in a bid to apply targeted collective sanctions against Nigeria but was told that was "not the right time," according to a senior US official.

In May, city sanctions against Nigeria were adopted by Amhurst and Cambridge in Massachusetts. The sanctions restrict city business with companies that deal with Nigeria. New Orleans, New York, Oakland and St Louis have also adopted ordinances and resolutions to the same effect. Jennifer Davis of The Africa Fund said that "City sanctions against apartheid helped bring freedom to South Africa. Now city sanctions can support the Nigerian people in their struggle for democracy."

In 1989 the Supreme Court of Canada ruled against Vancouver's resolution to exclude Shell Canada from city contracts over the apartheid issue, causing problems for many city government who wanted to support democracy in South Africa. This year the City of North Vancouver discussed not

buying Shell products and informally instructed its staff, leaving nothing for Shell to challenge. Shell Canada held an exclusive contract of \$3m to supply gas and diesel fuel to the City of Vancouver which expired on May 31, 1997. It was not renewed, due in part to intensive lobbying from the Ogoni Solidarity Network.

Shell suffered a lot of negative publicity when the City of Oakland Council became the first city in the US to pass binding sanctions against the Nigerian regime last year. The company tried to bribe its way into the public's good books this summer by trying to give over \$2m for training at City of Oakland Unified School. Activists lobbied against the proposal and although the School postponed its decision it later accepted the funding.

At the same time the City of Berkeley passed a selective purchasing law requiring it to stop doing business with businesses invested in Nigeria, namely Shell, Mobil and Chevron.

The County of Alameda in California unanimously adopted a selective purchasing and divestment resolution against Nigeria on September 30. The Free Nigeria Movement, who have supported such sanctions across the US, report that unconfirmed estimates value the direct economic impact of the Alameda sanctions as somewhere in the range of \$200 million and above in lost revenue." Especially affected are Coca-Cola, Chevron, Shell and Motorola. Alameda County includes the cities of Berkeley and Oakland.

A debate about boycotts has been seen locally and nationally as a result of the above successes. Education of the public through churches, schools, the media and several new Ogoni Freedom Centres is also building the foundations for pressuring the US and Canadian governments into serious action.

Political parties

Heavily armed police burst into a party being held in honour of outgoing US ambassador Walter Carrington at the end of September, threatening to shoot one speaker and ordering the foreign guests, including Carrington, to leave. It was "the most surrealistic experience I have had here yet," he said. "The leader of the police unit could be heard saying loudly on his hand-held radio, 'Sir, we have located the place, the US ambassador is here, and we are going to break up the meeting.'" Earlier squads of riot police had stopped the ambassador entering the original venue and human rights and pro-democracy groups had been forced to change location.

Police appeared while Senator Abraham Adesanya, acting chair of NADECO, was speaking. They snatched the microphone from him and pointed guns at those present, according to Nigerian newspapers. "Shoot us, shoot if you dare!" Chief Gani Fawehinmi is reported to have screamed at the police. South African High Commissioner George Nene said, "South Africa never had it this bad."

The US filed a 'strong protest', which led not to an apology but to the Nigerian minister for special presidential affairs, Alhaji Wada Nas, verbally attacking Carrington. Agence France-Presse reported the Minister as saying, "His stay in Nigeria must be described as four years of waste during which nothing was accomplished between the two countries in economic, cultural, or political terms." (He must have forgotten that the US buys 40% of Nigeria's oil.)

Carrington replied that "This is a country that I have been coming to since 1959, so I have been able to see the years of boom and bust here," he said. "This is a country richer in human resources than almost any place I can think of, and it is rich in natural resources too. And yet Nigeria is a country ranked by the United Nations as one of the poorest places in the world, and ranked by some as one of the most corrupt countries in the world."

"As a black American, this deeply saddens me. This is a place that should be one of the leading countries in the world. But until they are able to resolve the problem of allowing the people to choose their leaders democratically, I am afraid they are not going to be able to realise this potential."

The Nigerian ambassador for the US eventually apologised but by October a new resolution condemning the treatment of Carrington and calling for increased sanctions was introduced by the US Congress.

Within the same week 100 armed police stormed a party in Lagos being held to celebrate the birthday of detained human rights campaigner Frederick Fasehun, chair of the Campaign for Democracy.

Ayo Obe of the Civil Liberties Organisation said "The group of policemen who broke up the receptions included a recently formed squad set up to deal with violent crimes. But they are being used as a political weapon." Chief Gani Fawehinmi criticised the action and noted that "Sani Abacha had his own birthday party yesterday and no one disrupted it. I see no reason why this party should be disrupted."

Nigerian groups unite for action

Pro-democracy groups, human rights organisations and unions from across Nigeria have formed a common platform for joint action towards ending military rule and bringing about a people's democracy in the country.

The United Action for Democracy (UAD) has brought together many key organisations such as the Campaign for Democracy (CD), the Democratic Alternative (DA), Civil Liberties Organisation (CLO) and MOSOP to help in "the realisation of common goals".

All groups recognise the "deplorable state of the nation, characterised by a rampaging military dictatorship which has engendered unprecedented economic hardship, reign of violence, escalation of ethnic acrimonies and wars, total breakdown of social services and infrastructure, environmental degradation, emasculation of the judiciary and press, brutal repression of human rights and of popular democratic forces in the country, and the imposition of a pre-determined transition programme on the nation".

The UAD calls urgently for "concerted and sustained mobilisation of the Nigerian people" to stop Abacha's transformation to civilian president, to halt and reverse the crisis in Nigeria and to avoid the outbreak of armed conflict seen in other African states such as Rwanda.

An earlier meeting of the UAD had also called for a boycott of Shell products due to the company's role in environmental degradation in Ogoni and in the judicial murder of Ken Saro-Wiwa. It recognises

that Shell is one of the obstacles to democracy. At the Summit of the OAU (organisation for African Unity) held in Harare on June 4, the UAD called for international support for change in Nigeria, including an immediate and complete withdrawal of troops from Ogoni and the release of Ogoni prisoners. It also criticised the Shell-backed Vision 2010 project as another tool for Abacha to consolidate his power and avoid genuine transition to democracy.

The UAD asserts that resolving June 12 is essential. Some groups want it 'actualised', others just that it is taken into account. But they recognise that there are no fundamental differences between their positions and that a focus on forging stronger links and moving forward together is the solution to the Nigerian problem. The UAD is growing and needs now to expand into areas it lacks representation.

In a communique issued from the UAD's inaugural meeting in Lagos on May 17, 1997, the following 9-point Demand was made:

- ◆ the immediate and unconditional release of political prisoners in Nigeria
- ◆ the release of Chief M.K.O. Abiola, the winner of the annulled June 12, 1993 presidential election, to enable him to participate in the formulation of new democratic structures and processes in the country
- ◆ immediate end to military rule and a transfer of power to a Transitional Government Of National Unity, composed of elected representatives of mass democratic organisations
- ◆ the convening of a Sovereign National Conference to seek popular solutions to the political, economic, socio-cultural and other historical problems confronting the country
- ◆ a popular democratic transition programme that will usher in a genuine multi-party democracy
- ◆ abolition of all anti-people economic policies, including the Structural Adjustment Programme (SAP) and in its place, an improved, better and abundant socio-economic life for the masses of our people
- ◆ protection of the Nigerian environment against all forms of degradation and violation by all companies and agencies operating in Nigeria
- ◆ the entrenchment and defence of the Rule of Law; and
- ◆ an end to all forms of nationality domination and oppression as a condition for the emergence of a truly united and democratic multi-ethnic Nigerian nation.

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Hundreds hospitalised by toxic petrol

The use of cheap petrol imported by the Nigerian National Petroleum Corporation (NNPC) to ease supposed fuel shortages in oil-rich Nigeria has been causing pollution and serious environmental health problems across southern Nigeria. Since its arrival late September, burning the fuel has been making people feel sick in Lagos, Ogun and Oyo States. Even the areas along the routes to neighbouring countries where Nigerians are trading have the distinctive acrid smell.

Chief Dan Etete, Petroleum Minister, denied official knowledge of the situation - as he does to most problems in the oil industry - but the government soon accepted that the fuel was toxic and ordered an investigation.

The Federal Environmental Protection Agency (FEPA) stated on October 6 that the product was 95% petroleum, containing "leaded fuel mixed with some organic solvents", and warned that it could cause "irritation to respiratory tracts, which, under prolonged exposure could cause dizziness and stomach complications." It added, "Citizens are hereby advised not to stay too long in traffic situations and to reschedule their movements to avoid peak traffic periods as a way of reducing exposure."

500 residents from Lagos have been hospitalised as a result of the fumes from the petrol. An investigation into the issue led the FEPA to state that "The fuel contained carbonyl-esters and phenolics, suggesting adulteration and / or contamination." It had a high degree of pyrolysis gasoline (pygas), containing mercaptans.

Oil traders said that German refiners Wintershall AG (BASF group) and Swiss-based Glencore were involved in the import of 33 million litres of the toxic fuel in June. The military said that the source of the fuel was American but traders said it was low-quality Russian gasoline. According to Nigeria Today, oil marketers had rejected the product. The Petroleum Ministry stated that the Products and Pipeline Marketing Company, a NNPC subsidiary, had then re-routed it to circumvent the protests. The company blamed the inspection agency, Societe General du Surveillance (SGS).

No shortage of corruption

Fuel shortages in Nigeria have worsened during 1997. Incompetent management of the oil refineries combined with high-level corruption led to huge queues at petrol stations across the country. At the peak of the crisis in June, Abacha announced that he would intervene, making fuel available within the next 48 hours. As imports would normally take at least a week to arrive, it is speculated that local fuel 'bunkerers' (black marketeers) have been off-loading fuel from the Nigerian refineries on to their private tankers and so were able to bring it back the moment Abacha announced his saviour strategy. It has also been suggested that widespread importation was already taking place, even though the cost of importing fuel is in fact higher than the amount needed to repair and service the country's four refineries. "The more fuel imported the more foreign currency they make. It is better to continue to import and steal in dollars rather than profit from local refineries and steal in naira," said one observer.

International corruption watchdogs Transparency International labelled Nigeria as the most corrupt country in its survey published at the end of July, the second year running that Nigeria has topped the list. On a scale of 0 (utterly corrupt) to 10 (squeaky clean), Nigeria rated 1.76. Western 'democracies' were criticised for involvement in widespread bribery too, through paying 'useful expenses' to foreign firms. Denmark received the top mark of 9.94.

Local government chaos

There are continuing crises across the country precipitated by arguments over the location of Local Government Area (LGA) Headquarters. LGA creation is seen by many as aiming to satisfy elements who have paid strong loyalty to the regime. Effectively, new fiefdoms are created. The manner of creation can be interpreted as a tool to create conflict in sensitive areas of the country such as Ife/Modakeke, Nembe, Brass, Warri, and Idemili.

The people of Ife and Modakeke have been in dispute particularly since the 1940's over political stance and ideology. The regime created an LGA for the Ife/Modakeke area and then located the LGA HQ in Ife, relocated it to Modakeke, and then moved it back again. Not surprisingly, this induced a crisis which has left over 100 dead. In crisis situations, however, the government finds it easier to manipulate the political situation, ie create the right power structures from the chaos. Whoever pledges more loyalty to Abacha gets the HQ. Sometimes the creation of a new LGA is just someone's flight of fancy. Such is the human condition.

Strikes

Amongst the many strikes hitting Nigeria are the following:

Coal corporation pensioners, the same people who in 1944 started the independence struggle in the famous Iva Valley protests, have begun marching, protesting and doing sit-ins to get pensions that have been owed to them for 46 months. Many have died waiting.

The government issued formal dismissal notices to 22,000 civil servants sacked for striking in Kaduna state. Thousands of women, students and children have all rallied against the government in support of the strikers.

Over 10,000 women besieged the premises of Crush Rock Industries in Ebonyi state in August protesting "22 years of exploitation, neglect and double standards". During the three day demonstration, the women destroyed two major culverts leading to the quarry and barricaded all roads leading to the community.

Untreasonable

The military government has now charged Africa's first Nobel laureate, Wole Soyinka, and a dozen others with treason, an offence which carries the death penalty. The charges have been levied at the regime's political opponents both inside and outside the country and are ostensibly linked to the many bombings that occur from time to time within Nigeria.

Fela Kuti dies

Afro-beat musician Fela Anikulapo-Kuti died of AIDS at the beginning of August. Nigeria Today wrote: "A star of the Nigerian and international music scene for the past three decades, Fela won a reputation for smoking marijuana, sleeping with large numbers of women and dressing only in his underpants." Along with the rest of his family, he was a radical, strongly critical of the many regimes that have dominated Nigeria. His brother, Dr Beko Ransome-Kuti, a democracy activist, is serving a prison sentence for involvement in an alleged coup plot. A case is currently working its way through the courts regarding Beko's right to pay his respects to his brother.

Voice of Free Nigeria launched

The US-based Free Nigeria Movement launched the Voice of Free Nigeria, an opposition radio station on June 12 this year. June 12 1997 is the fourth anniversary of the annulled presidential elections which Chief Moshood Abiola won. It can be heard at 0700-0800 GMT every Saturday evening at 11680 kHz.

Well done!

The First African Leadership Award' was conferred upon Abacha by a black press in the US in August to help with business deals. A month later Shell was given the Outstanding Corporate Member Award by the Nigerian Institute of Public Relations (NIPR) in September. Chevron, Nestle, Lever and two banks also received awards from the NIPR.

Tunnel vision WWF nominated Shell for an environmental award, which it didn't win, and UK-based NGO Living Earth took £60,000 of Shell's money to produce a dull report on the Niger Delta. Shell is obviously very aware of how such relationships can be fostered, distorted and used for its own ends. Dying Earth top man Roger Hammond refused to meet environmental activists in Nigeria for discussions.

In contrast, September 17 the Sierra Club of the US awarded the prestigious 1997 Chico Mendes Award to MOSOP for its extraordinary courage and leadership in protecting the environment. The work of NYCOP was also recognised in another prize giving organised by the Green Youth of Sweden. Komene Famaa from NYCOP, who had been actively spreading the word about Ogoni across Australia and had met with indigenous Peruvians suffering Shell, travelled to Sweden for the award.

WIPED OUT

Wiped out, wiped out
The middle men cut off
Locked up, locked up
An entire middle class locked up
Squeezed out, squeezed out
The middle ground pushed off
Killed off, killed off
The soul of creativity closed in
Choked up, choked up
The nation's bloodline torqued

Nnimmo Bassey

Occidental & Shell threaten the U'wa of Columbia: Tribe contemplates mass suicide

The U'wa in Colombia are in an almost identical situation to the Ogonis in 1993: a rising level of political education and empowerment, and the potential for mass mobilisation. Following the first Ogoni Day when MOSOP first stated their non-violent opposition to Shell's operations, the killings in the Delta began in earnest. A matter of urgent concern today in Colombia is therefore the current level of violence in the region, and the very real possibility that such violence, including killings, may be used in the immediate future to 'persuade' the U'wa to reconsider their stand.

"I sing the traditional songs to my children. I teach them that everything is sacred and linked. How can I tell Shell and Oxy that to take the petrol is for us worse than killing your own mother? If you kill the Earth, then no one will live." -U'wa woman, August, 1997

The U'wa people have lived peacefully in the cloud forests of the Colombian Andes for as long as anyone can remember. The last great tragedy to befall these 5,000 people happened 400 years ago, when according to oral histories, a portion of the tribe committed mass ritual suicide rather than submit themselves to Spanish rule. Today, the U'wa are once again talking about death as new invaders - Occidental Petroleum (Oxy) and Shell - move on to their land. As the project moves forward one thing becomes very clear: Whether it is through the pollution of the land they consider sacred, the increased violence that the project will inevitably bring, or by their own hand, oil exploration means the death of the U'wa.

Oil Project Overview

In April of 1992, Los-Angeles based Occidental Petroleum was granted exploration rights to much of traditional U'wa territory-known to the oil companies as the "Samoré block." Shell and Oxy each have a 37.5% investment share in the project, and Ecopetrol, the Colombian national oil company, has 25%. Oxy, the operator of the joint venture, believes the field to hold approximately 1.5 billion barrels of oil, slightly less than three months worth of oil for the United States. Since the beginning, Samore project has been plagued by guerrilla violence and the steadfast opposition of the U'wa. If it can be brought to production, Oxy and Shell stand to make millions in profits from what could be one of the largest oil fields in this hemisphere.

Columbia & Oil

Colombia is the fourth-largest and fastest-growing major exporter of oil in South America, increasing its output by nearly 30 percent in 1995, and expecting to double its production by 1998. Under pressure from the United States and international financial institutions, the Colombian government has turned to increased oil production as a way to pay off its debts. For the peoples of Columbia living in oil regions though, multinational oil exploitation has brought pollution and conflict.

As Occidental knows, the growing oil infrastructure has served as a magnet for violence. Oxy's Cano Limon pump station and pipeline in Arauca which controls almost one third of Colombia's oil export has been attacked by guerrillas 473 times in its 11 years of existence. Like in Nigeria and Burma, multinational oil companies are turning to the military to protect their investments. With the strong presence of guerrillas in the area, the Colombian military - recognized as having one of the worst human rights records in the world and armed with the latest equipment and weapons by the U.S. government - has moved in to protect Oxy's and Shell's oil interests. Human rights observers contend and Occidental officials privately concede that oil industry activity in the region will only serve to heighten and focus the violence.

In the last decade, some 1.4 million barrels of crude oil have spilled because of pipeline sabotage in Colombia (the Exxon Valdez spill was only 36,000 barrels). As the Samoré block is located in one of the highest conflict areas of the country, it is impossible to imagine that the project will not result in significant environmental damage to the U'wa homeland. This is situated at the headwaters of the Orinoco river basin, which flows through sensitive rainforest ecosystems and other indigenous homelands on its way to the sea. All of this is threatened for three months of oil.

Current Situation

"Now they say that the government wants to know our thoughts about the oil project, but if they don't like what we think, they will simply proceed with their own decisions." - Roberto Cobaria, President of the Traditional U'wa Authority

In their search for justice the U'wa have turned to both national and international legal fora, neither of which has yet to fully recognise the U'wa's right to protect their land and culture. In early 1997, two contradictory rulings on the U'wa case were handed down by Colombian courts, with the Council of State's decision taking precedent. This ruling found that the State's right to develop its natural resources, in this

case oil, superseded the U'wa's constitutional right to consultation and defence of its cultural identity.

Looking internationally, the U'wa have recently petitioned the Inter-American Human Rights of the OAS to call for the project's cancellation in defence of the U'wa's human rights. Meanwhile, in response to a request from the Colombian government, the OAS in conjunction with Harvard University, has issued a series of recommendations in regards to the Samoré block, intended to serve as a guide to resolve the conflict between the U'wa and oil interests. This report advocates several positive steps to be taken in favor of the U'wa, including an immediate and unconditional suspension of all oil activities in the Samoré block, and the legal recognition of the U'wa's full traditional territory. However, it also recommends a process of consultation with the U'wa which is based on recognizing the Colombian's States right to exploit oil over the U'wa's right to halt it. The OAS / Harvard path to conflict resolution, therefore, depends on the U'wa giving up both their position of resistance as well as their vow to collective suicide if the project goes ahead. These assumptions not only disregard the U'wa's rights, but in the end could prove horribly tragic.

WHAT YOU CAN DO:

Write to Oxy and Shell asking them in your own words to cancel their plans for the Samoré block. Let them know that you hold them responsible for the U'wa's welfare.

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The above text can be made into a factsheet. For more information, contact:

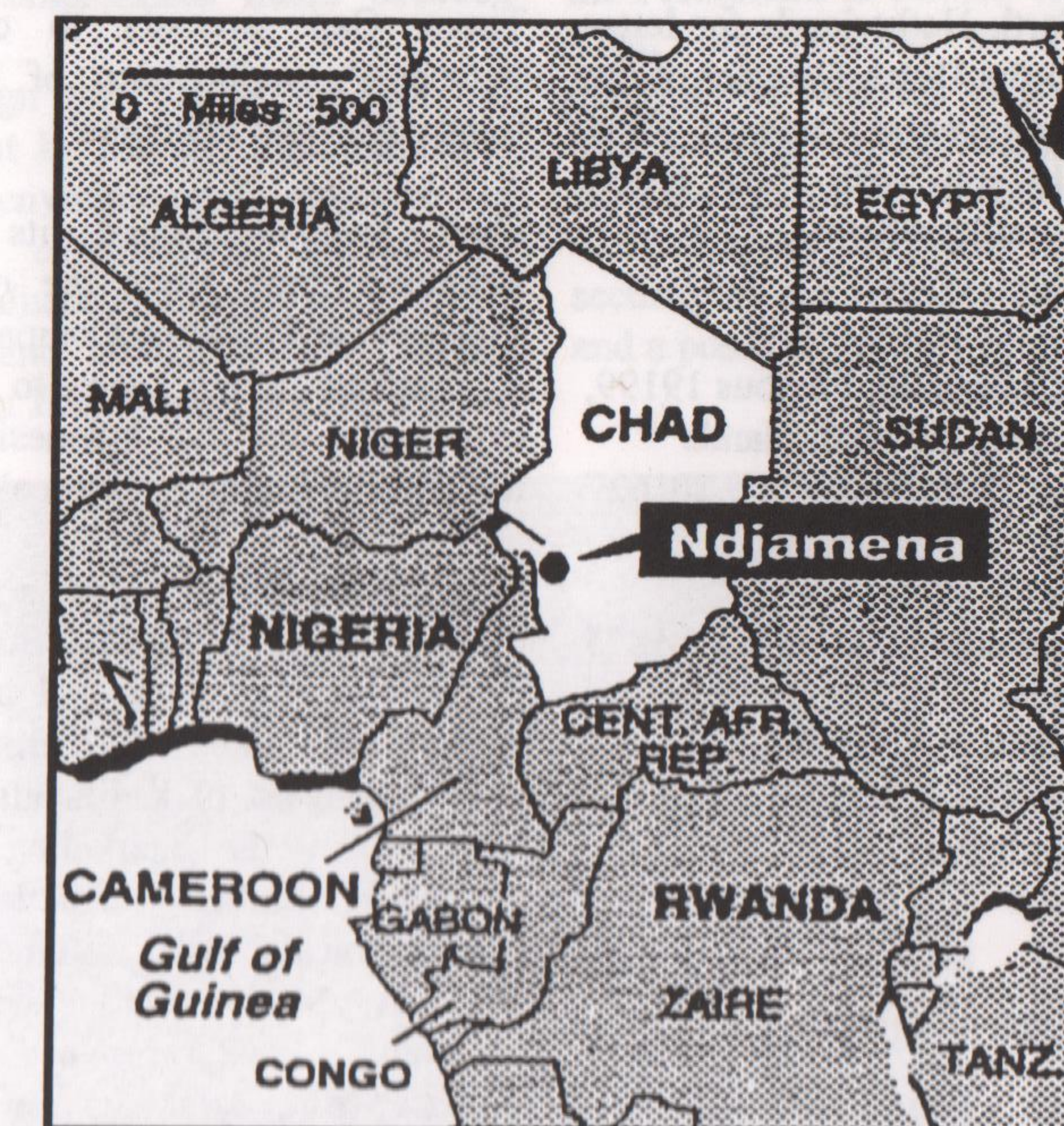
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<http://www.solcommunications.com/uwa.html>

Chad could be the next Niger Delta

In Nigeria's neighbouring country Chad, Shell, Exxon and Elf are starting new operations. An Environmental Impact Assessment has not been finalised, the economic benefits for the oil producing region are doubtful, and the first protests are already being suppressed. All the ingredients of new Nigeria-like oil conflict are present. Report from *Irene Bloemink* of FoE Netherlands.



The Doba-region in southern Chad and the Niger Delta have much in common. Both regions have fertile soil and are capable of producing sufficient food for the population. In both regions the minority people also feel suppressed and discriminated against by a northern majority group. Human rights violations are a common phenomenon. And: there is oil. The big difference, however, is the stage of the oil exploitation. Nigeria has had 40 years of oil production with all the associated social and environmental impacts, whereas oil exploitation in the Doba-region is only about to begin.

In Chad 225,000 b/d will be produced by 300 wells from the year 2000. Unconfirmed reports reveal reserves four times greater than Nigeria's. The oil from Chad is to be transported through Cameroon to the port of Kribi. The consortium, comprising 40 % Shell, 40 % Exxon and 20 % Elf, has applied for a \$120 million loan from the World Bank's IDA Fund. This fund, set up for poverty alleviation (!) would provide the oil companies with the necessary political support, in addition to the financial support, for the pipeline facilities. The Bank will probably make its final decision before the summer of 1998.

The oil companies could have learned from the environmental and human rights disaster in the Niger Delta. Reports from Chad and Cameroon, however, consistently

indicate the similarities with the Nigeria debacle.

The consortium signed the exploitation deal with the (northern-based) government of Chad in February 1995, without having completed an Environmental Impact Assessment (EIA) for the production or transportation - like they would do in Britain or the Netherlands. It remains unclear how the consortium is going to prevent major and minor oil spills, and it is estimated that an average of 7000 litres a day from the total spillages will remain undetected. In Cameroon the 1100 km pipeline will cut through rainforest areas.

Both in Chad and Cameroon the local people have hardly been involved at all in decision-making regarding the oil operations. Many of the inhabitants in the affected areas do not even know about the forthcoming oil development, while hundreds of others have already been

"The World Bank has to accept that its real instrument of torture is its insistence on growth, its economic theorising at the expense of human welfare ... The sooner debtor nations realise the political nature of the World Bank, the sooner they will be able to face the bogus economic theories of the Bank with an equivalent weapon - people's power." Ken Saro-Wiwa

relocated or will have to be in the near future. Compensation is low, and according to the Environmental Defense Fund, the President of Chad responded to questions about compensation by saying that they "have not thought about it yet". Exxon claims to have held public meetings and consultations with NGOs. But one of the Cameroonian NGOs, quoted in a

pre-document of Exxon as having been consulted, told western visitors that they were not willing to cooperate with the oil companies. They added that Exxon would not provide most of the relevant documents, and did not allow the NGOs to take any documents home for serious study.

The growing discontent of the affected people and of the NGOs has been further fed by doubts over the government of Chad's intention to really share the economic benefits of the oil with the inhabitants from the region itself. The financial flow runs to the state and the recent history of Chad shows an unequal distribution. Opposition is usually suppressed, as has already been the case when M. Yorongar, MP from the oil producing Logone Oriental region, raised the issue with the authorities. Threats were made to remove his parliamentary immunity, the step before the government can arrest him.

The response of the consortium to possible opposition is one of violence, according to Jeune Afrique. In May this year the magazine revealed that 2000 mercenary soldiers and 10 helicopters would be hired to "protect the pipeline".

The question is: who will protect the people? A man from the Doba-region in Chad was killed by an Exxon security guard when he took his two children to watch the landing of a plane. The military stated in a subsequent report that the man was a rebel, and the case was closed.

Fears of further escalation of oil-related violence are understandable. Further instability in Chad, Cameroon, and across West Africa is likely. DELTA will keep you informed, or you can contact Amis de la Terre in France for more information and action material on Elf and the French

representative of the World Bank, or Friends of the Earth Netherlands for letter writing actions to the Dutch Director of the Bank. The Environmental Defense Fund can also provide you with their report 'Chad: the new Ogoniland?'

Contact:

Milieudefensie, Damrak 26, Postbus 19199, 1000 GD Amsterdam, the Netherlands
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Environmental Defence Fund, 1875 Connecticut Avenue, NW, Suite 1016, Washington DC, 20009, USA
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Shell and the Timor Gap

TAPOL, the Indonesia Human Rights Campaign, based in London, is launching a campaign to force Shell to give up its exploration rights in the Timor Gap between East Timor and Australia.

The former Portuguese colony of East Timor was invaded by Indonesian armed forces in 1975. Over 200,000 people, about one-third of the population, have been killed as a result of the armed occupation, which continues to this day. Torture and brutal repression are widespread throughout the territory.

The British Government has, for reasons of commercial expediency, done nothing to end the appalling tragedy of East Timor. Instead, it has made huge commitments of aid to the murderous Indonesian regime, facilitated the sale of arms, such as Hawk aircraft, and promoted British business to its position as the leading Western investor in Indonesia.

In December 1989, Indonesia and Australia signed the Timor Gap Treaty - an agreement for the exploration and development of the resources of the Timor Gap, which covers some 67,800 sq. km of the Timor Sea. The Treaty ignores the right of the East Timorese to the resources in their own waters and infringes their legal and human right to self-determination.

Shell is by far the largest operator in the Timor Gap, either in its own right or through its significant shareholding in the Australian company, Woodside Petroleum. According to the latest information, it has interests in five of the eleven licences granted for the central zone which contains the most oil and gas reserves.

In demanding that Shell ceases its operations immediately, Arsénio Bano, an East Timorese refugee working for TAPOL,

said: "Shell's continued involvement in the Timor Gap amounts to complicity in Indonesia's suppression of East Timor's basic rights and freedoms".

Shell has maintained its interest in Indonesia itself since the original Shell Transport and Trading Company was set up a hundred years ago to finance oil exploration on the Indonesian island of Kalimantan (formerly Borneo).

Its current interests include six contracts for oil exploration in the Java Sea to the north of the island of Java and a contract for exploration and development off the north-east coast of Kalimantan. It is also involved in the marketing of oil and chemicals, the manufacturing of petrochemicals and bitumen, and has worked closely with the Indonesian company, Bimantara, owned by President's Suharto's son, Bambang. These companies have approvals to build a \$1 billion oil refinery in East Java and another refinery in Kalimantan.

For more information, contact Paul Barber at TAPOL on tel +44 171 497 5355, e-mail: hops@gn.apc.org

Peruvian Indians denounce Shell's pollution

Concern over Shell's new \$2.7 billion gas project in an isolated region of the Peruvian Amazon continues to grow both internationally and in Peru. As covered in Rainforest Action Network's February Action Alert, and in our Independent Annual Report of the Royal Dutch / Shell Groups of Companies (published with Project Underground in May) the oil giant's Amazon project poses a serious threat to the rainforest ecosystem and local communities. Over sixty indigenous, environmental, and human rights organizations from around the world have called on Shell and its investment partner, Mobil, to suspend its operations immediately.

Meanwhile, Amazonian communities on the front lines have also sounded the alarm. Recently, the Peruvian indigenous federation COMARU denounced Shell's toxic contamination of rivers and creeks as it searches for gas reserves. COMARU, representing thirteen Machiguenga communities directly affected by Shell's activities, cited the National Engineering University's recent analysis of water samples from creeks near Shell's drilling sites, and which flow into rivers used by Machiguenga villages for drinking, bathing and fishing. Test results found levels of hydrocarbons, cadmium and mercury in

these waters to exceed levels permitted under Peruvian law. International organizations familiar with Shell's toxic legacy on Ogoni lands in Nigeria fear that these results are yet another indication of Shell's continuing pattern of broken promises, all at the expense of the local communities.

For more information, contact the Information Department, Rainforest Action Network, 221 Pine Street, Suite 500, San Francisco CA 94104 USA, tel: 415-398-4404, fax 415-398-2732, e-mail rainforest@ran.org website www.ran.org

Kotim ol (Take them to court)

Stuart Kirsch, an anthropologist who worked on the lawsuit against the Ok Tedi Mine, argues in favour of taking legal action against multinationals on environmental grounds.

In Tok Pisin, the lingua franca of Papua New Guinea, the English noun "court" is also a verb that means to "press charges" or to "take to court." After people from that country's Ok Tedi and Fly rivers filed their 1994 lawsuit against the Australian owners of the Ok Tedi mine in the Victorian Supreme Court of Melbourne, *kotim ol* (take them to court) acquired new meaning.

The Ok Tedi mine dumps over eighty thousand tons of tailings and other waste material into the local river system daily, yet the government of Papua New Guinea has done nothing to limit its environmental impact.¹ As a result, *kotim ol* has become synonymous with the struggles of rural communities against the corporate sponsors of large-scale resource extraction projects and the pursuit of environmental justice.

In "Courting Disaster" (*DELTA* #2), Roger Moody questions the value of alien tort cases that seek to hold multinational corporations accountable in their home country for their environmental impact overseas. These suits challenge companies operating where environmental legislation is less restrictive or not rigorously enforced. Moody argues that legal action will not change the underlying economic system, in which corporations lack financial incentive to fulfill their environmental

responsibilities. Furthermore, the resources required for court cases of this sort are rarely available to the communities affected by pollution, or even to environmentalists and other political activists. A final concern is that the outcome of such cases is contingent upon legal processes and precedents that may have little to do with community standards for right and wrong.

Moody's concerns have merit. An additional constraint on foreign tort cases is the difficulty in establishing forum and jurisdiction. Courts have been reluctant to rule on cases involving environmental impact overseas.

Some cases have been sent back to the courts where the offence took place. This was the response of the U.S. District Court in New York to a suit against Texaco regarding their petroleum operations in the Ecuadorian Amazon.

In other cases, environmental claims have been struck out because international law is weak on the subject. The New Orleans judge in the case against Freeport-McMoRan's copper and gold mine recently rejected environmental claims made by indigenous plaintiffs from Irian Jaya (Indonesia), although he agreed to hear charges regarding the mine's complicity in human rights violations and genocide. The amended plea argues that environmental destruction is one of the ways in which Freeport has violated the rights of the Amungme people. Claims about environmental impact have also been addressed in court by focusing directly on the health risks posed to local residents. The Texas courts, for example, have considered the impact of harmful pesticides on Costa Rican farm workers. Other cases may be settled out of court before a decision on forum is reached.

In the Ok Tedi case, BHP chose not to raise the issue of forum, although they did question the jurisdiction of the court to hear the case (see discussion of subsistence rights below). Their challenge was rejected, however, which led to the settlement out of court. Such agreements tend to be moderate

in their achievements, because they reflect a series of compromises made between parties. Even if foreign tort claims are not the panacea sought by Moody, legal efforts to curtail the environmental excesses of multinational corporations abroad do represent a valuable strategic resource for communities and advocates. The lawsuit against Broken Hill Proprietary (BHP), the



Ghost forest (Stuart Kirsch)

majority shareholder and managing partner of the Ok Tedi mine, had a number of positive consequences.

Alternatives to violence

Studies of social protest movements have shown that when other avenues of recourse are exhausted, people are more likely to resort to violence. The conflict between the residents of Bougainville and the State of Papua New Guinea over the environmental impact of the Panguna copper mine (owned in part by RTZ) is a tragic example of this process. When their complaints about the island's disintegrating landscape and polluted environment were ignored for nearly two decades, and the compensation they received was deemed woefully inadequate, a group of angry Bougainvilleans took up arms. They shot an expatriate mine worker and blew up power pylons, forcing the mine to close. In response, the government has kept a military blockade around the island for much of the last eight years. In the interim, Bougainville has been the scene of numerous human rights violations.

In January 1997, the Prime Minister of Papua New Guinea sought to break the stalemate in Bougainville by hiring a team of South African mercenaries to take over the island and its valuable copper deposits. The plan was thwarted by the head of the Papua New Guinea defense force, who blew the whistle on his boss. The resulting

Events at Bougainville demonstrate the importance of providing indigenous communities with the resources that they need to press for reform without having to resort to violence. The lead plaintiffs in the suit against the Ok Tedi mine have said that they hoped to avoid "another Bougainville" by seeking justice through the courts.

Raising the profile of environmental debate

When it comes to publicity, mining companies and Hollywood are on the opposite ends of the spectrum; any news may be good news in the movie business, but mining companies prefer to profit in relative obscurity. In Australia, the lawsuit against BHP resulted in dozens of newspaper editorials critical of the mine, numerous television documentaries (including *Sixty Minutes* and *Four Corners*) on the environmental consequences of mining in New Guinea, and satirical television comedy skits lampooning BHP. The publicity overwhelmed BHP and sent a shock wave throughout the industry. The global mining giant RTZ begged BHP not to settle the lawsuit, fearing the precedent that this would establish for litigation against the industry.

Australia's economy has long been based on resource extraction, and mining has played a pivotal role throughout its history. The assault on one of the nation's leading industries prompted widespread reflection on the subject of appropriate environmental standards at home and abroad. Australians have been critical of the way that the countries of southeast Asia exploit their rainforests for timber, so the Ok Tedi case revealed an uncomfortable double standard. How could Australia wave the green flag with respect to endangered rainforests

while their own mining companies were muddying the waters of Papua New Guinea's rivers?

Acting globally

When multinationals spread their tentacles around the globe, the members of the communities they affect may find it difficult to comprehend the true nature of the beast that they confront. In part, this is because these communities are rarely in contact with one another. Yet the only effective way to challenge the strangle-hold of multinational corporations is to hold them accountable for their actions at a global level.

When BHP planned a diamond concession in Canada's Northwest Territory, the local landowners had the opportunity to hear directly about BHP's track record in Papua New Guinea. A representative from the Ok Tedi River came to Yellowknife to address a public hearing on the diamond project, sending shivers down BHP's corporate spine.

In the three days that it took to travel from the rainforests of Papua New Guinea to the Canadian tundra, BHP's negative exposure became global in scope. As long as criticism of the Ok Tedi mine was confined to the immediate region, BHP felt as though they could weather the storm. But when their critics gained the ability to jeopardise lucrative mining prospects and embarrass their new copper subsidiary in the United States, BHP became truly alarmed.² The lawsuit provided both the resources and the rationale for the journey across the Pacific. This raised the cost of mismanaging the Ok Tedi mine to a prohibitive level. Finally, the CEO of the company brought closure to the lawsuit by snarling to his lawyers, "Fucking fix it!" before kicking over a chair and storming out of the room.

Better law

A steady accumulation of legal precedents also emerges from these cases. When a court evaluates whether or not there is an international consensus about acceptable environmental practice that rises to the level of enforceable law, it examines the ruling of other jurists in similar cases. Eventually such principles may acquire the weight of law.

The lawyers were able to establish the principle that when environmental degradation prevents a group of people from continuing with their subsistence lifestyle, they have a claim for damages which may be heard in foreign courts.

In a ruling on the case against Texaco, for example, the judge cited the Rio Declaration on Environment and Development of 1992, which suggested that States have "the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or areas beyond the limits of national jurisdiction." He suggested that the Rio document "may be declaratory of what it treated as pre-existing principles just as was the [United States] Declaration of Independence." In other words, he

envisioned the legal grounds for a universal human right to a protected natural environment. Furthermore, he foresaw the possibility that this standard could be made enforceable internationally through foreign tort claims.

In the Ok Tedi case, the Court found that it did not have jurisdiction to entertain claims relating to loss of land or damage to land. Accordingly, the claims were reframed to plead loss of amenity, which embraced the subsistence economy of the plaintiffs. This was a novel concept for the Court, in that it did not involve economic loss, which forms the foundation for damages in virtually all Western legal systems. The lawyers were thus able to establish the principle that when environmental degradation prevents a group of people from continuing with their subsistence lifestyle, they have a claim for damages which may be heard in foreign courts.

Despite some initial headway, the law supporting foreign tort cases remains in its infancy. In the April 1997 decision in the case against Freeport, Judge Duval of New Orleans ruled that "however destructive" Freeport's impact on the environment, it does not violate international law because none is applicable. The challenge to legal and environmental activists is to help create precedents that can become law.

Broader alliances

Environmentalists must take care not to preach only to the converted. Court cases against multinational corporations with troubling environmental records expose new audiences to fundamental questions about resource development and environmental impact. Legal battles temporarily erase the middle ground, which

is ordinarily biased in favor of the status quo. The adversarial process also reduces complex situations into black and white terms, bringing the underlying moral issues into sharper focus. Legal struggles can create allies from audiences that other environmental campaigns may not reach.

It is more difficult to raise concerns among shareholders than among consumers, yet natural resource companies like BHP, RTZ and Freeport do not sell anything directly to the public except for stock. When the Ok Tedi mine first faced vocal opposition in 1990, Amoco owned thirty percent of the project. Activists assumed that this was the project's Achilles heel, for Amoco sells gasoline to consumers throughout North America. Established environmental groups in Washington, D.C. rejected the idea of a consumer boycott against Amoco, however, on the grounds that the mine was too far away from home to convince consumers to alter their habits. Nonetheless, Amoco proved sensitive to criticism, for they later sold off their shares in the mine, reportedly for a price well beneath their market value plus a waiver of liability for its environmental impact.³

Where there are no consumers to reach, court cases can bring exposure and legitimacy to environmental claims, which may ultimately influence corporate shareholders. In both the Ok Tedi case and the suit against Freeport, Church groups owning large blocks of stock have called for increased accountability on environmental issues.⁴

A balancing act

In the final analysis, the success of the lawsuit against BHP and the Ok Tedi mine must be measured in terms of the benefits that it brought to the people of the Ok Tedi and Fly rivers, and to its consequences for their environment. The settlement should be evaluated in comparison to pre-existing conditions, rather than according to a set of ideal criteria imagined from afar.

BHP agreed to pay K110 million (approximately US\$90 million) to the people who live in the affected area of both watersheds. Another K40 million has been set aside for the people of the lower Ok Tedi River, where the damage to local resources has been the greatest. This money will be used to help them develop alternative sources of food and income, to enable them to build new houses, to improve transportation infrastructure and to enhance their educational opportunities. A share of the funds will be set aside for future generations. The local communities played an active role in shaping the terms of the trust.⁵ An additional 10% equity share in the mine will be held by the

national government on behalf of the province in which the mine is located.

The most important component of the settlement is the commitment to tailings containment. At present, all of the mines in New Guinea release their tailings directly into local rivers or the sea. The mine plans to install a large dredge in the lower Ok Tedi River in mid-1997. This should allow the river bed to return to normal levels, stopping overbank flooding into the surrounding lowland forest. The mine can then begin to rehabilitate the land along the river. The Ok Tedi mine continues to develop its plans to pipe the tailings into a stable lowlands storage area. The settlement will be a failure and Papua New Guinea may yet face "another Bougainville" if the mine does not fulfill this part of the bargain and stop dumping tailings into the river system. Despite the remaining uncertainty, local leaders doubt that they would have reached this point without the lawsuit.

I sympathize with Roger Moody's frustration over the slow pace of the legal system, the judicial emphasis on procedural rather than factual matters, the limited accessibility of the courts to potential litigants and the compromises to which all negotiated settlements are subject. I am open to alternatives, but until we figure out what works best, I suggest lining up the multinational corporations which violate environmental standards and kotim ol.

Endnotes

1. The Ok Tedi mine is charged with extensive monitoring responsibilities, but prior to the lawsuit, no efforts to mitigate its impact had been implemented.
2. Ralph Nader, who was instrumental in putting pressure on BHP's American copper subsidiary, has argued that the legacy of Ok Tedi will continue to haunt BHP until it confronts the moral issues involved in that case (Ralph Nader, *The Australian Financial Review*, September 24, 1996: pg. 19).
3. Amoco left the Ok Tedi project in 1993, prior to the lawsuit.
4. Although the Lutheran Church in Germany was active in the Ok Tedi case prior to the lawsuit, the Uniting Church of Australia, which owns shares in BHP, only took action after the suit had been filed.
5. In the interests of full disclosure, I worked with local leaders and communities in setting up this trust.

Ya Basta!

Echoing the Niger Delta, the south of Mexico is dominated by a government which calls the tune of transnational corporations and neo-liberalism while the people suffer poverty and repression. Emily Williams describes the Zapatista's challenge to US backed exploitation.

"We want peace with justice, respect and dignity. We will no longer live on our knees."

Subcommandante Marcos¹

With the cry of *Ya Basta!* (enough is enough!) the Zapatistas burst on to the world stage on January 1, 1994. Armed and dressed in black balaclavas, the indigenous Mayan community of southern Mexico took possession of five major towns in the state of Chiapas. They demanded land and liberty, and full recognition for the rights of the indigenous peoples of Mexico. They declared war on the federal army and government, called for an end to neo-liberalism and demanded the repeal of NAFTA, the North American Free Trade Agreement.

It is no coincidence that the initial uprising of the Zapatistas coincided with NAFTA coming into force. To entrench the neo-liberal policies of NAFTA, the government removed Article 27 from the Mexican constitution, allowing the commodification of *ejidos* or communal landholdings. This effectively eliminated the indigenous peoples' rights to the land, a right enshrined in the constitution drawn up after the 1910 Mexican revolution.

Chiapas is a diverse, rich land and includes North America's last remaining tropical rainforest, the Selva Lacandon. Transnationals from around the world have had their eyes on Chiapas for some time, and most have been waiting for NAFTA to come into effect to start the process of exploitation. Marcos stated in a recent interview published in the Italian magazine *Limes*, "There is petroleum and uranium in Chiapas. Business people from the US discovered them... their intention was to come here immediately with the start of NAFTA." The appearance of the Zapatistas, he said, created problems for the US company's plans to "eliminate the

indigenous people of the area or move them to another area," or directly exploit them.

The IMF and World Bank have consistently chosen to fund projects which put profits before people by giving substantial loans to the Mexican government. At the recent *Encuentro* gathering of activists, Efrén Capiz Vilegas, co-ordinator of the Union de Comunereros Emiliano Zapata, stated, "The IMF has given grants to the Mexican government to ensure the security of southeast Mexico. They funded the guns that were used to shoot indigenous people!"

Huge tracks of the Selva Lacandon had been cleared prior to 1994 with plans for whole areas of the jungle to be eliminated to exploit the natural resources of the area. It comes as no surprise that the Zapatista army, the EZLN, choose to base themselves here, deep in the forest. And as you travel through Chiapas today its clear that the uprising has disrupted mining, road building and logging. The Zapatistas want the right to collectively manage their own resources.

"They, the indigenous of Chiapas, those without voice, those without faces, are capable of leaving us with many marks stamped in fire on our hearts, that we the people of Chiapas hope you will transmit to every person you encounter on your way." *writes the non-indigenous peoples of the state of Chiapas*

Behind the romantic image of the masked men and women of the EZLN lie hundreds of indigenous communities and an organisational structure of democracy with roots deeply based in 2,000 years of Mayan tradition and culture, and of fighting against exploitation and oppression. The EZLN are under the control of the Clandestine Revolutionary Indigenous Committee which is made up of elected representatives from each of the Zapatista communities or areas. The representatives are responsible for bringing all the proposals from the villages to the committee and visa versa. Everyone must be consulted before any decision is taken.

The *campesinos* of Chiapas are well aware of what neo-liberalism means for their communities, for their lives and the future of their children. They have seen with their own eyes the destruction of their environment, the hunger and pain that is left behind when companies choose to satisfy their desire for profit. In a document drawn up before the uprising, one group stated, "What we don't agree with is the selling of our country to foreign interests... people who are not Mexican run this country."

Marcos adds, "Of course, according to some intellectuals this type of consciousness of

country or nation is not possible in an indigenous person, but they don't know these indigenous people."

"Our voice began to sound centuries ago, and it will never again be silenced."
Marcos

The seeds of the rebellion were planted decades before 1994 in the many struggles



Women in the EZLN (Photo: Colectivo de Solidaridad con la Rebelion Zapatista, Barcelona)

waged by indigenous communities against exploitation. What the Zapatistas have succeeded in doing is to bring the many indigenous struggles together.

80% of campesinos in the highlands of Chiapas suffer from malnutrition, and yet the state is a massive exporter of foodstuffs for the international market. Thousands of children die every year from curable diseases, and there are more beds for tourists than there are hospital beds for the indigenous people. Chiapas has the worst education system within Mexico, and less than 1% of schools nationally are located in indigenous zones. Teachers are hardly paid and most children don't make the first grade of elementary school. 54% of Mexico's hydroelectric power is produced in the state and yet two out of three homes have no electricity.

The people are very clear about the fact that for them the decision to take up arms was the only option they had left. Maria, a woman from a Zapatista community in Ocosingo stated, "We were not happy about taking up arms but we had tried many, many peaceful ways and always we were killed and tortured. We had no choice, it was the only way. We are fighting for peace, our land, dignity and our rights. We do not want war but we were at war anyway, with the government, with the landowners who took our land. We were dying anyway."

When you talk to individuals in the communities about the losses they have incurred in the uprising, they continually tell you that they have suffered many deaths before. Juan Jose said, "Before 1994 I lost two of my children to diarrhoea. I lost one son in the battle for Ocosingo. All of their deaths are a great sadness to me."² Losses in the communities are dealt with communally. Great sadness is a shared

experience, as indeed is great happiness. The people's ability to act as a collective in all matters leaves a deep impression on visitors.

"There will be no peace until there is justice" Marcos

Today Chiapas has army troops scattered throughout the region, conducting psychological war against the *campesino* and indigenous peoples who live there. Every village is surrounded by army camps. There may be a ceasefire in Chiapas but there is no peace in southeast Mexico. Daily missions by armed helicopters flying low over the jungle communities shatter the sounds of monkeys screaming and children playing. The forest is cut down and water deliberately contaminated. Human rights abuses are commonplace. There are daily reports of arbitrary detentions, torture, executions, rape and plunder of communal and personal property.

The USA is covertly involved in this activity. Under the guise of providing helicopters, training and arms for the fight against drugs it has provided the Mexican government with weaponry that is being used to destroy its people. Today, the elite National Guard of the US army is lined up along the Guatemalan border awaiting instructions for the next offensive by the Mexican government on the indigenous communities of Chiapas. The land occupations continue as *campesinos* reclaim

what once belonged to them, but the evictions are violent.

At the closing meeting of the *encuentro*, Felipe, one of two delegates from the EZLN said, "We tell you, brothers and sisters, continue resisting as we do, because the future of all of us is to triumph."

The Zapatistas have mounted an explicit challenge to the First World, to neo-liberal policies and capitalism. It is unparalleled. Three years on the struggle continues and the spirit of the Zapatista rebellion is spreading. Solidarity and support for their actions has come not only from the peoples of Mexico but from a growing number of indigenous and other communities across the globe. "Other winds are beginning to blow," says Marcos.

"And all of you, what are you going to do?" Marcos

The local human rights organisations in Chiapas are desperately short of international observers, and this is a critical time when support is urgently needed. If you are thinking of going to Mexico, can speak

Spanish and are prepared to spend a week or two with the indigenous communities as a 'campamento for the peace', then make contact with the Centro de Derechos Humanos in Chiapas using e-mail: cdhbcasas@laneta.apc.org

There are monthly demonstrations outside the Mexican Tourist Office in London on the first Friday of the month (contact fHuman) to which everyone is welcome, and there are three groups in Britain which are part of a network of international solidarity groups:

Chiapas Support Group, Box 19, 82 Colston Street, Bristol BS1 5BB, UK

fHuman, c/o BM-CRL, London WC1N 3XX, UK e-mail: fhuman@hotmail.com

Chiapas Action, Kings College, Cambridge CB2 1ST, UK

The Zapatista video 'Visions of Freedom' is available from the Chiapas Support Group for £7.50 + 50p p&p.

1. Quotes from published material and from personal interviews by the author in the Zapatista communities and the *Encuentro*. See also "Zapatistas! Documents of the New Mexican Revolution," Autonomia 1994. Available from AK Press, PO Box 12766, Edinburgh EH8 9YE, UK. A portion of the cover price goes to the indigenous and peasant communities in southern Mexico to aid them in their struggle.

Women in the struggle

"We aren't going to ask the government to give us freedom, nor are we going to ask you male fools. We are going to ensure our freedom, our respect, and our dignity as women and as human beings."

Early quote from the women of the EZLN

One of the first things you notice when you arrive in Zapatista territory is that women in the communities meet and hold your gaze, often responding with a smile and a reply to your *Buenos Dias*. To those arriving in indigenous Mayan communities in Chiapas this small detail may not seem like much to get excited about. But to understand the significance of this gaze you have to stop looking at the act through eurocentric eyes. For behind it is a story and a struggle for equality that has journeyed far in 10 years.

Women have been involved in the Zapatista movement from the start. They make up a third of the armed *combatientes* in the EZLN. Many hold positions such as major and captain, and three outrank Subcommandante Marcos.

There has been a revival and strengthening of some indigenous traditions along with the consciousness-raising of the movement: women are involved in projects to revive the practice of herbal medicine, for example. At the same time the people do want development, but just appropriate development on their terms.

The exploitation and oppression of women was one cultural tradition that the women involved in the Zapatista movement decided not to hold on to. They drew up what has become known as the Women's Revolutionary Law. It demands that women be allowed to choose their husbands, be allowed to decide the number of children they have, keep control over their bodies and its fertility, that women be respected, that the act of rape be punished, that women have the right to an education, and that they decide what type of work they do. The law was translated into the five different indigenous languages in Chiapas and representatives went into all the villages to explain it to the many women who could not read.

The trickling down effect of these changes in cultural traditions to the communities is already visible. The confidence of the little girls and young women and their presence in the makeshift school houses is one example. The fact that women in Zapatista communities have the right to participate in

meeting, speak Spanish and hold elected positions of responsibility is another. The older women tell you much has changed in the last decade but there is also much room

Domestic violence was endemic in the indigenous communities prior to the 1980's, mainly as a result of the high rate of alcoholism. Drinking was encouraged by

The Encuentro

"We want all who walk with the truth to unite in one step"
Subcommandante Marcos

Inspired by the Zapatistas, activists from across the globe gathered together in Spain this August for the 'Second Intercontinental Gathering for Humanity and Against Neo-Liberalism'. Among the thousands of people who attended were representatives of the EZLN and the Ogoni and countless other grassroots groups from Indonesia to Britain.

People gathered under the hot sun to discuss the effects of neo-liberal policies across the world and how they can be challenged. The conference was split into 6 Mesas (tables) discussing different subjects from economics to land struggles and ecology.

Particular attention was given to the World Trade Organisation (WTO), seen as a new world government and made up of the most exploitative transnationals. It was agreed by all that the WTO should be a target of our campaigns.

The *Encuentro* was a great opportunity for networking and building a network of action against transnationals. It was inspiring to meet people from across the world who were fighting the extension of the free market into their lives and particularly fighting the commodification of land by governments, corrupt leaders and big business.

There was agreement between environmentalists and land struggle activists about a different understanding of the land as a common resource. "For capitalists or the rich the concept of the land is one of profit and of exploitation. For many poor farmers it is something to make a living from but for indigenous people it is much more. The indigenous people believe that Mother Earth is to be respected. Our land has been worked collectively by generation after generation. Our land is a source of life itself we do not believe it should be bought and sold by the free market," said Efen from the Union de Comuneros Emiliano Zapata at the meeting.

And it was clear that more than anything, the Zapatistas and peoples of Southern Mexico want us to plant the seeds of change in our own countries.

For further information, contact: Ya Basta, c/o Avon Gorge Earth First!, Box 51, 82 Colston Street, Bristol BS1 5BB, UK.

for more change. As the female *combatientes* come back to the villages with their partners to have children, they in turn bring back different attitudes. In Mexican macho society it is very rare to see a man participating in any form of child care. In the Zapatista communities, however, men and boys are not only carrying small children and babies around but also comforting them. When you ask the women about this they laugh, saying that women in the EZLN had learnt to carry guns, and that in the communities men had learnt to carry babies.

the ranchers and landowners who regularly stole land from the campesinos only to employ them later as labourers. Wages were paid with alcohol. In all the Zapatista communities now there is a notice as you enter which states, "No alcohol or drugs - only peace and maize."

Commandante Ramona, in response to a question about why women participated in the revolutionary struggle, stated, "Because women are also living in a more difficult situation; because women are the most exploited and strongly oppressed, still.

Why? Because women, for so many years, for 500 years, have not had the right to speak, to participate in an assembly. They do not have the right to have an education, to speak to the public, or to hold any position in their town... We get up at three in the morning to prepare the corn, and from there we have no rest until everyone else is sleeping. If there is not enough food, we give our tortilla to the children, to the husband."

The women's movement in the communities grew simultaneously with the entry of women into the armed struggle. Major Ana Maria: "Women started to get together and organise themselves and they started to join the ranks of the army. And then other women did not join but organised themselves into women's groups, women alone. And that is another way that women entered the struggle."

At the *Encuentro*, Eva, an indigenous woman from the Union de Comuneros Emiliano Zapata based in Morelia in Central Mexico reported that the example of the Zapatista women had encouraged other indigenous women in Mexico to start organising in women-only groups.

She said, "When we occupy land we do not call this a land occupation, but a land re-occupation - because the land belongs to us in the first place. When the soldiers come to evict us from our land the men hide behind the women. Sometimes the women get arrested but the other women who remain demand a car to go to the local prison and release the arrested women. We women are getting very good at this."

The EZLN has led the way in the demand that women be treated with equality, but the struggle even amongst the *combatientes* has been difficult. Marcos states, "Many times in our daily lives as *combatientes*, in couple relationships, sexist attitudes are reproduced and because of this our laws tend to favour the women."

He added, "The government doesn't like the fact that the indigenous people have risen up, but we did it. The sexists don't like the fact that the women are doing what they are doing but they are doing it and that's that." Attitudes and traditions have been slow to change but the indigenous women of Chiapas and Mexico are demanding and ensuring their rights are respected. *Viva Mujeres!*



The Silent Fart

Rhys Evans is a teacher based in Leicester, UK.

The 1992 United Nations Conference on Environment and Development, otherwise known as the Earth Summit, and its sequel this June, are demonstrations to us all of

where the world's economic power lies. They are statements of the obvious fact that the governments which hold that power have no intention of changing their central economic policies for the sake of the global environment or of those who live most closely to it.

Characteristically, when they talk of carbon dioxide emissions or damage to the ozone layer, they do not talk of changing the patterns of industrial development. They talk more of the use of catalytic converters than of re-thinking their use of the internal combustion engine. They may be concerned that the poor are not achieving sustainable livelihoods, but they are less worried that the rich are not doing so either.

The solutions put forward do not suggest any change to the economic and political

The ways in which local people live together as are as diverse as are the peoples themselves and their particular environments, but there are common elements which re-appear, surprisingly, across history and across the world: from medieval peasantry in rural Britain to groups in shanty towns in modern San Domingo. The concept of communal living, the shared use of local environment and a form of moral economics, founded on the good of the community are recurrent features. This has been given the name of 'the commons'.

status quo, nor does their scrutiny of environmental damage offer any serious structural analysis of its real causes. Their focus is on management rather than on change. The question is: "How can we do what we are doing better?" not "What have we been doing wrong and how can we change it?"

The exploitation of the land and the land's resources has always been one of the major sources of wealth, and for centuries the expropriation of land from its traditional

inhabitants has been a feature in the centralisation of political power.

Hand-in-hand with this has grown the notion of the State as a unitary and politically unifying concept. Accordingly, the Earth Summit sought unitary, 'global' solutions to environmental problems, disregarding the concerns of its local inhabitants.

The alternative nature of the commons
The ways in which local people live together are as diverse as are the peoples themselves and their particular environments, but there are common elements which re-appear, surprisingly, across history and across the world: from medieval peasantry in rural Britain to groups in shanty towns in modern San Domingo. The concept of communal living, the shared use of the local environment, and a form of moral economics, founded on the good of the community, are recurrent features.

This has been given the name of 'the commons', and, as we know from British history, the expropriation of the commons from the people and the theft of the land for

the production of wealth is known as 'enclosure'.

Despite its ubiquity, the commons is hard to define. It provides sustenance, security and independence, yet (in what many westerners feel to be a paradox) typically does not produce commodities. Unlike most things in modern industrial society, moreover, it is neither private nor public: neither commercial farm nor communist collective, neither business firm nor state utility, neither jealously-guarded private plot nor national or city park. Nor is it open

to all. The relevant local community typically decides who uses it and how.

Destroying autonomy

As such, the commons operates in direct opposition to the macro-economic ideology of the State. It is not concerned with commodities, with growth, or with progress, as the word is generally understood. So here is a second reason for expropriating common land and destroying the self-sufficient ideology of the commons: not only does the State consider that it can use the land more economically and less wastefully, but as a unitary system it must also suppress any dissident and dangerous ideology which works against its best interests. The usual rhetoric, as employed by the Mexican

government in its programme of so-called national solidarity towards indigenous peoples (PRONASOL), is that they must be 'helped' into full, twentieth-century-style, productivity. The underlying reality is that the autonomy of indigenous culture is a threat to the unity of the State.

Enclosure in Britain first took place, supported of course by monarch, government, and legislature, almost seven centuries ago, when fortunes were to be made out of sheep farming and wool production. Countless thousands of peasant farmers were forced off the land to become landless day-labourers and gradually to form the beginnings of the new urban proletariat. Land and human labour became commodities to be bought and sold.

With the landings in the New World the same patterns of economic development spread. Local co-operative land and environmental organisation was systematically uprooted and opposition was cruelly suppressed. Land, natural resources and human labour had to be kept cheap and easily accessible for the promotion of European and later North American wealth-production.

In all the intervening period, resistance has never ceased. There have been numerous episodes of armed opposition to the rule of wealth-inspired landowners and colonialists. Occasionally revolutions have succeeded, to a greater or lesser degree, and with predictable frequency land and agrarian reform have been recurring themes.

Emiliano Zapata, one of the heroes of the Mexican revolution, led rural people under the banner of 'Tierra y Libertad' (Land and

Freedom). In Andalucia in southern Spain, agricultural day-labourers, struggling today in the new Europe for agrarian reform, are fighting under the same banner. Within the commons ideology, land is not a commodity, it is a right. Guatemalan Maya, and many others, believe that the Earth is their mother, and you do not buy or sell your mother.

Indigenous culture as resistance

Far more frequently, however, resistance has taken the form of maintaining against

The nature of so-called mature democracies dictates that the bulk of the population takes no part in decisions which affect their everyday lives and actual government is in the hands of a business elite and serves its own, minority electorate.

all odds the traditional ideology of communal existence.

In San Miguel Teotongo, a shanty-town area of Mexico City, the indigenous inhabitants came as a group from their own region near Oaxaca, driven off the land by government agricultural policy and consequent near-starvation. They brought with them their own inherited methods of living and organisation. In the wasteland of the outer suburbs they set up an organised society, with health, social security, equitable food distribution, work, education, and town-planning systems, all based on the experience of many generations behind them.

They were instrumental in setting up the popular urban movement, the organisation of local urban groups which now straddles the whole Latin American sub-continent and has now linked up with other communal movements, for instance amongst the homeless in the United States. They were accused by the government of trying to set up a state within the State.

An indigenous way of life has become a means of resistance more effective than war and armed struggle, and similar patterns are to be found in all parts of the world. What was originally a rural phenomenon, sprung from people's association with the land, has proved itself transferable to the city of the twentieth century or the brutally exploitative life of the modern free-trade zone.

The President of the Agricultural Workers' Syndicate of Andalucia once said: "We are all ants, working in our tiny ways against the great monolith of the wealth-orientated State."

Breaking the ties

The third and perhaps most sinister reason for destroying the ideology of the commons is that the people are needed not just as compliant workers but as consumers. In order that they should be so, they must be stripped of their traditional self-sufficient relationship with each other and the land. They must be taught to want more, to be dissatisfied with what they have, to be competitive. In overt and hidden ways their true thinking and decision-making power must be suppressed. These things have played a large part in their inherited lifestyle, so it had to be the first to go.

Conformity to the unitary State, assimilation, integration: these are the watchwords. The nature of so-called mature democracies dictates that the bulk of the population takes no part in the decisions which affect their everyday lives, and actual government is in the hands of a business elite and serves its own, minority, electorate.

In the eyes of some liberal sceptics, the scenario described above appears so unnecessary, so avoidable, that they believe either that it could be remedied easily by the consent of reasonable people, or that it is untrue and represents the disagreeable propaganda of a disaffected minority. It is hard for them to accept that this process has been deliberately and clear-headedly brought about. 'Progress', 'development' and the construction of the State all require a price. That price is the destruction of the local in favour of the national and the creation of human misery for the promotion of the well-being of the few.

Building the future

By contrast, it is in the local that the optimism and the energy to construct a future is still to be found. The process of resistance has never ceased. People in the direst circumstances find the means to struggle and survive. As in Andalucia or San Miguel Teotongo, there are countless examples of 'states within states', where people achieve dignity and quality of life in the teeth of oppression. Often they are achieved by communal organisation and mutual support - the well-tried strategies of the past. As an Ethiopian proverb has it, "When the great lord passes, the wise peasant bows deeply and silently farts."