

URGENT CALL TO HALT ALL DIVESTMENTS IN THE NIGER DELTA, INCLUDING SHELL'S REFUSED SALE OF SPDC SHARES

We, the undersigned civil society organizations, community leaders, and concerned citizens from across Nigeria are calling on President Bola Tinubu to sustain the Nigeria Upstream Petroleum Regulatory Commission's (NUPRC) rejection of Shell's request to sell its remaining shares in the Shell Petroleum Development Company (SPDC) to the Renaissance consortium. Other international oil corporations, such as TotalEnergies, are also attempting to sell their stakes in SPDC and other Nigerian onshore oil assets. We state categorically that any approval of Shell's and Total's requests would weaken regulatory independence, ignore the interests of the Niger Delta communities, jeopardize the environmental and social well-being of the region for generations to come, and undermine Nigeria's sovereignty.

We are, again, compelled to ask for a comprehensive halt to all divestment requests from oil corporations in the Niger Delta, including Shell, Total, and other IOCs with similar plans, until these issues are addressed:

The Importance of Regulatory Independence

It is critical to emphasize that the Nigerian Petroleum Industry Act (PIA) and the NUPRC's responsibility to uphold this law were clearly outlined when Shell's divestment request was initially rejected. NUPRC's refusal was based on legitimate concerns, including Shell's failure to adequately address the significant environmental and social liabilities associated with its operations in the Niger Delta, as was independently assessed and recommended by international assessors contracted by the country. Among the reasons for rejecting the sale, NUPRC cited the inability of the Renaissance consortium, a shady company with links to past Shell executives and Nigerian political actors, to demonstrate its financial and technical capacities to manage the assets and the pressing need for proper environmental remediation.

NUPRC's rejection was in line with the responsibilities outlined under Nigerian law and global best practices for corporate accountability. It is a decision rooted in national interest — protecting the health, safety, and environment of the Niger Delta communities. Any attempt to approve Shell's sale despite these valid concerns would risk undermining regulatory independence and signaling that Nigerian law can be bypassed to serve the interests of multinational corporations.

The Legacy of Pollution and Health Crisis

The environmental and health crises caused by Shell and other oil corporations operating in the Niger Delta are well documented. The United Nations Environment Programme's (UNEP) report on Ogoniland describes an ecological disaster of immense proportions. UNEP's findings revealed that:

- Drinking water sources are contaminated with dangerous levels of hydrocarbons, making them unsafe for human consumption.

- Oil spills have destroyed entire ecosystems, killing marine life and damaging the biodiversity that is crucial for the livelihood of local communities.
- The soil in Ogoniland has been contaminated with toxic substances, rendering it infertile and unsuitable for farming, exacerbating food insecurity in the region.

UNEP's assessment concluded that decades of oil spills have created an "environmental catastrophe" in Ogoniland and the cost of cleaning up the contamination in Ogoniland alone is estimated to be over \$1 billion and would take decades to address. Yet, these costs are still insufficient to cover the broader environmental impacts of oil extraction across the Niger Delta, where similar damages exist.

The Bayelsa State Oil and Environment Commission's (BSOEC) report provides a detailed analysis of the severe pollution caused by Shell's and other multinational companies' operations, including health impacts on local populations. According to the BSOEC:

- High levels of toxins from oil pollution, such as total petroleum hydrocarbons (TPHs) and heavy metals (HMs), have infiltrated the air, water, and soil across the region, contributing to a public health emergency.
- Communities are suffering from respiratory issues, skin diseases, and cancers linked to oil pollution, and these problems are worsening by the year.
- The economic cost of these health impacts and the degradation of natural resources is incalculable, leaving most of the people in poverty and unable to sustain themselves through traditional means like farming and fishing.

The BSOEC report also estimates that the cost of remediating the damage in Bayelsa State alone would exceed \$12 billion. Based on the UNEP and BSOEC reports, it would take about \$100 billion to address the environmental damage in the entire Niger Delta comprehensively. Following the Deepwater Horizon oil spill in the United States, BP, the company responsible, paid over \$60 billion to address the impacts of one oil spill incident alone. The environmental damage of the Niger Delta is much worse and has spanned decades. Therefore, to allow Shell, TotalEnergies, or any other company to walk away from their responsibilities would mean transferring these liabilities to the Nigerian state, the Niger Delta states, and the Nigerian people. This is an unjust and unsustainable burden that would further exacerbate the challenges faced by communities already suffering from the effects of pollution and environmental neglect.

Dangerous Lessons from Past Asset Sales

The experiences from past asset sales by Shell, **ENI/AGIP**, and **ExxonMobil** offer grave lessons. In the case of Shell's divestment in Nembe to **Aiteo**, for instance, the local communities were left with unresolved pollution and no proper remedy for the environmental damage caused by decades of oil extraction. Environmental destruction has worsened in the area. Similarly, when **ExxonMobil** divested some of its assets, the responsibility for remediation was inadequately transferred to new operators, who were ill-prepared to manage the legacy of contamination. In **ENI/AGIP's** case, the sale of assets to **Oando** continued to worsen the situation in the host communities as there were no comprehensive cleanup efforts undertaken.

These sales not only failed to address the critical environmental liabilities but also deepened the social tensions in the Niger Delta, as new operators took over without addressing the root causes of community unrest or the longstanding health and environmental challenges. This pattern of irresponsible divestment must not be repeated, and the Nigerian government has a responsibility to stop it.

The National Interest and the Urgency for Action

We ask Mr. President to ensure that the immediate financial interests of a few multinational corporations and local profiteers do not outweigh the health, future, and survival of millions of Nigerians who have suffered for decades. President Tinubu must safeguard the future of Nigeria, ensuring that all its people, especially those in the Niger Delta, are not sacrificed for the benefit of global capital and a few local profiteers.

An Approval of the Sale of Shell's and Total's Assets Would Be a Declaration of War with the Niger Delta

We want to make it absolutely clear: approving Shell's or TotalEnergies' divestment in its current form without addressing the profound environmental and social costs would be a grave injustice to the people of the Niger Delta and could lead to significant unrest in the region. It would be an affront to the generations of Niger Deltans who have fought and died for environmental justice, their homes, and their livelihoods.

Approving Shell's SPDC share sale would send a dangerous message to all multinational corporations operating in Nigeria that they can extract our resources, leave devastation behind, and walk away without consequence. This is not just a question of corporate accountability; it is about Nigeria's sovereignty, dignity, and the right of its people to live in a clean and safe environment.

Our Demands:

We call upon President Tinubu to:

1. **Immediately halt all divestment processes** until a transparent, comprehensive, and inclusive review is undertaken that addresses Shell's and TotalEnergies' historical environmental and social liabilities.
2. **Ensure inclusive and transparent consultation** with state governments and the people of the sites of oil and gas extraction in the Niger Delta before any further divestment of IOC assets.
3. **Hold Shell, TotalEnergies, and all other IOCs accountable** for their past and ongoing environmental damage, and ensure they fund a full cleanup and remediation program across the Niger Delta.
4. **Uphold the regulatory independence** of NUPRC and allow it to fulfill its statutory duties without political interference.
5. **Respect the resolution of the National Assembly**, which has called for a halt to all divestments by international oil companies in Nigeria.

6. **Ensure that new operators** are properly vetted and committed to responsible environmental management and community welfare.
7. **Create an Environmental Restoration Fund** that is sufficiently funded to meet the full and complete costs of environmental cleanup and reparations based on credible estimates of independent international experts and contributed to by Shell, TotalEnergies, and other international oil companies and future operators to address the long-term damage caused by their operations.
8. **Provide community profit-sharing opportunities** for host communities as part of any divestment agreement, ensuring that the local people benefit from the oil resources they have hosted for decades.
9. **Mandate full disclosure** of all environmental liabilities before divestment, requiring Shell, TotalEnergies, and any future operators to publicly declare and address all damages.
10. **Include gas flaring cessation and decommissioning plans** in any divestment agreement, with clear timelines for ending harmful practices.
11. **Account for carbon emissions** related to the divested assets and propose mitigation plans that align with Nigeria's climate commitments.

Conclusion:

This is a defining moment in Nigeria. We urge President Tinubu to stand with the people of the Niger Delta and uphold the values of justice, fairness, and environmental protection. By halting Shell's, TotalEnergies' and any other IOC divestment and demanding accountability, President Tinubu will send a powerful message that Nigeria's sovereignty and the welfare of its citizens are paramount.

We ask President Tinubu not to undermine Nigeria's national interest and the oversight of democratic institutions. We stand ready to continue our advocacy but need President Tinubu to show leadership to ensure a just, sustainable, and prosperous future for all Nigerians.

Signed for Representatives of Nigerian Civil Society Organizations, Community Groups, and Concerned Citizens by:

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