



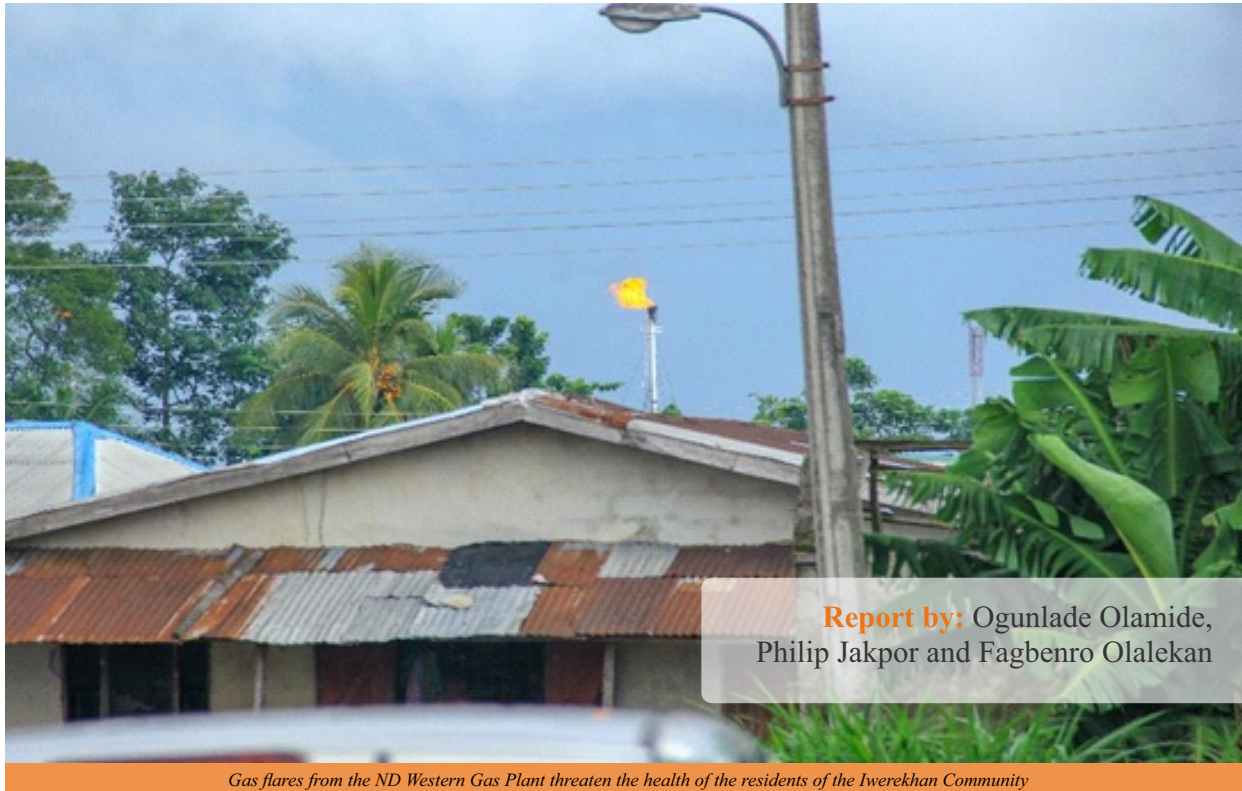
Corporate  
Accountability &  
Public  
Participation  
Africa

**IWEREKHAN  
COMMUNITY CRIES  
OUT OVER CONTINUED**

# **GAS FLARES**







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*Gas flares from the ND Western Gas Plant threaten the health of the residents of the Iwerekhan Community*

## INTRODUCTION

Iwherekan community is in Ughelli South Local Government Area of Delta State. Most of the natives of Iwherekan are into farming and fishing. The community hosts the Utorogu Gas Plant and oil wells and flow stations which belonged to Shell Petroleum Development Company (SPDC) until it was acquired by ND Western, an indigenous oil and gas firm. The negative fallouts of hosting the oil wells and flow stations are regular oil spills and gas flares which have made life unbearable for the locals. These incidents have been ongoing for decades, truncating their livelihoods and reducing their life span.

The community is devoid of social amenities like hospitals, schools, and outlets for the locals to voice their concerns. They tried to get justice by taking SPDC to court in July 2005. In the suit instituted by an indigene, Jonah Gbemre, they sued Shell for engaging in massive and unceasingly intense gas flaring in the community, during its exploration and production activities. They also insisted that Shell failed to consider the environmental impact of its activities on the communities' means of livelihood, and collective survival, as well as the gas flaring's contribution to the adverse and potentially life-threatening effects of climate change.

In a ruling by Justice J. Nwokorie on 14 November 2005, the Federal High Court sitting in Benin City held that the constitutionally guaranteed rights of the Iwerekhan community inevitably include the rights to a clean, poison and pollution-free environment and that the actions of Shell in allowing and continuing to flare gas in the community are a violation of their fundamental rights to a clean and healthy environment. The judge further ruled that Shell's failure to carry out an EIA is a clear violation of the EIA Act and a violation of said rights. The Judge ordered them to take immediate steps to stop gas flaring. The Judge further ordered the Attorney General of Nigeria to ensure speedy amendment of the Associated Gas Re-injection Act to be in line with Nigeria's human rights obligations under both the Constitution and the African Charter. Unfortunately, the judgment was not enforced.

## FIELD VISIT TO IWEREKHAN

On Saturday 3 June 2023 a team from the Corporate Accountability and Public Participation Africa (CAPPA) visited Iwerekhan to document the ongoing impacts of gas flaring and testimonials from locals of the community as part of the Make Big Polluters Pay (MBPP) campaign.

The team led by CAPPA Director of Programmes, Philip Jakpor, also had Programme Manager, Climate Campaign, Ogunlade Olamide, and Olalekan Fagbenro who documented images of the situation in the community after a townhall meeting where the team engaged the locals in a focus group discussion. The team also included local journalists.

Thirty-two participants (15 males and 17 females) were in attendance and told the story of their sojourn from a vibrant community with fertile land and healthy citizens to the present where the young die from ailments hitherto unknown in the community. The participants, mostly farmers, fisherfolks, petty traders, and community chiefs also shared their vision of how to address their plight.

Declaring the conversation open, Philip Jakpor said it was instructive that CAPPA was visiting Iwerekhan 18 years after the court ruling which had not been enforced. Jakpor thereafter gave an overview of the MBPP campaign, explaining that it began in 2019 in New York and has garnered support from impacted communities across the globe.

He drew the linkage between the fundamentals of the MBPP campaign and CAPPA's vision of amplifying the concerns of local communities, not only in Nigeria but also across Africa even as he added that the victory of the Ogoni in Rivers State against Shell after 18 years in court over similar oil pollutions should encourage the Iwerekhan community to take their destinies in their hands and join the MBPP campaign.

He solicited raw feedback from the locals as this according to him will make the agitations structured, impactful, and result driven. Concurring with him, Olamide Martins said to be able to maximize the gains of the Loss and Damage fund when fully operational, frontline communities must as a matter of importance tell their stories and make clear demands. He added that environmental reparations must accommodate shared concerns, deliver commiserate compensation and progressively stall injustices under any guise. He emphasized the need for adequate measurement, documentation, and profiling of loss and impacts.

## TESTIMONIALS

### **British Osefire, Farmer, 55 years old.**

*This Gas Plant was commissioned by President Babangida. The Plant is the biggest in West Africa and today the community has nothing to show for it. The community lacks basic amenities. Our women are suffering. They cannot go to the farm; they cannot go to the bush. All our rivers and streams are polluted. We don't know where or who to cry to. When you look at the roof of the buildings in this community made of zinc, within three months, they are burnt out. Nothing to show that this community is oil-producing.*

### **Gere V. Gbemre, Fisherman, 63 years old**

*Before the arrival of the Gas Plant, people relied on farming to train their children. Oil affects fishing and farming, nothing again does well on the soil. Pollution affects the water bodies. Economic trees such as rubber, palm trees, and bush mangoes are all gone. The government is not looking in our direction. Now if you look at it, the name of the community has gone far but there is nothing to show for it.*

### **Chief Jyha Ogodien, Community Chief, 62 years old**

*Before the company came, we enjoyed this community. Fishermen enjoined fish from the river and the swamp. When you plant crops, you have sufficient money to take care of your children. But today, the gas company has acquired all our land. By July of every year, everywhere is flooded. There is no land to plant crops again. Secondly, there is massive heat in the community despite the rain. No one enjoys fresh air anymore in the community. Lastly, our children are suffering the pain. We regularly take them to hospitals outside the community for one ailment or the other. The flares have brought serious hardship to us. We would be glad if this could stop.*

### **Elder Victor Owokere, Community Elders Council, 76 years old**

*Our community produced a lot of things before SPDC came but today you can't find them anymore. First, there is no land for cassava planting anymore. The oil and the spills that have erupted in several parts of this community are still in our swamps. Just this morning, I tried again to fish but caught nothing and had to manage to clean the spills on my legs. We have cried and cried, yet nobody listens to us. We are not represented at all. If we were represented, the Government would have listened to us. We are left alone. This current town hall that we are in was built about 5 years ago, in the next year, just come here, the whole place would have cracked up because of the vibrations from the plant. Our oil is polluted. For example, if you wear a white shirt, just put it under the sun for 30mins, it will turn black and this carbon monoxide, we breathe in every day. None of our children is working in the gas plant, not that we lack qualified hands. There is no empowerment for our women. Iwerekhan owns the largest gas plant in West Africa, we have phase 1, phase 2 and phase 3 is under construction, yet nothing to show. Government must come to our aid. We need the company to interface with us. We are suffering from environmental pollution. Government should listen to us; the oil company should listen to us. We need health centres, we need schools, we need empowerment for our women. It is by God's grace that I am 76 years. All my mates are dead.*

### **Jude Gbemre, Resident, 53 years old**

*What I want to talk about is the cracking on the walls of most of the houses in the community. About 90% of the houses in Iwherekan have cracked because of the vibrations from the Gas Plant.*

### **Isaiah Okerhakire, Resident, 59 years old**

*Before this gas plant, there was the Oturo Gas plant, and then I worked for them as a casual worker for years, I could not get a permanent offer and not even anyone in the community. Then, we used to drink water from our streams, but now we can't. They said we will not pay for electricity for hosting the gas plant but now we do pay, even on the high side. We want the government to protect us.*

### **Mary Fresh, Fisherwomen, 75 years old**

*Back then, our waters are good but now they are bad. The thick smoke causes coughs in our children. The remaining little land is now being taken over by cows.*

### **Jennifer Bimode, Resident Group. 45 years old**

*Many of our youths are getting old as the only job available is very draining. We want the flares to come down. We want the old ones to be paid monthly wages to augment their pains and sufferings. We want health centres or even hospitals and quality drugs to be administered.*

### **Lucky Shaka, Surveyor NAG3, 50 years old**

*I have been in the oil industry for years, and I know what the problems are. I am the surveyor in charge of NAG 3. The community is facing excessive heat and the youths are exposed to early cancers. They should build a functioning health centre for us.*

### **Jonah Gbemre, Community Mobiliser, 49 years old**

*Our women don't work again. They now do manual labour to survive. Farming isn't working again. There is hunger and poverty in the community. Amid plenty, we are having economic and food distress. Heat has caused human and animal migration. What Shell is doing here is an assault. They should pay compensation; it will be difficult to relocate us, as this is our ancestral home. What Shell is doing today is against fundamental human rights, the African Charter, and our constitution.*

## **SETTING UP ENVIRONMENTAL WATCHDOGS**

The high point of the focus group discussion was the composition of representatives of the youth group, women association, labour, and the traditional council into the Delta State Environmental Watchdogs who will monitor their environment and share findings with other watchdogs across the federation. Jakpor explained that they are expected to monitor, document, and report further environmental injustices, facilitate engagements between locals and the corporation, and continually demand that big polluters pay for their infractions.

More Pictures are in the link below:

<https://drive.google.com/drive/u/0/folders/1g9Dt5BsdAztbsEiTOUtoxBP64prxcMBB>



## Photos of CAPPA's Visit to Iwerekhan Community, Delta State.





## OBSERVATIONS

Despite hosting the largest Gas Plant in West Africa, the people of the Iwerekhan have had no share of the supposed benefits nor any sense of government presence. The CAPPa team observed cracks on the walls of most buildings in the community due to the regularity of seismic vibrations often accompanied by shocks and waves from the plants of SPDC Gas Plant. Residents also live in perpetual fear, not knowing what will happen next. They complained that the major health challenges of most of their members include gastrointestinal and breathing disorders. They suffer from asthma and gastritis, both of which are gradually becoming normal to the people in the community.

While attempting to capture images from the flare site, CAPPa was told that there is movement restriction anywhere near the flare sites so those with farmlands close by have had to abandon the farms. The team observed military presence in strategic sections where there are also roadblocks leading to the flare sites. We learned from the locals that the soldiers ensure that no one gets within the vicinity of the sites and arrest anyone attempting to.

From our interactions with the locals, we could deduce that they now appear to have exhausted their coping strengths and are on the verge of despair, as there seems no hope is in sight. CAPPa also notes the following:

- i. Though the Petroleum Industry Act (PIA) 2021 prohibits gas flaring and venting, flaring, and venting are almost normal and continuous in Iwerekhan Community.
- ii. The PIA 2021 mandates the need to upgrade environmental and social components through the creation of the Environmental Remediation Fund. This fund is yet to be operationalized and felt by the residents.
- iii. Against the provision of the PIA 2021, SPDC operations in Iwerekhan have no Environmental Management Plan otherwise the company would have compensated for the impacts of its operations in its immediate environment and its dwellers.
- iv. It appears the Host Community Development Fund provided for in the PIA excludes the people of the Iwerekhan community for no known reason.
- v. The community lacks a centrally engaging structure that should collectively advocate for the rights of the people. This loophole enables the corporation to skilfully divide and rule the locals.
- vi. Though affected differently, there is a common demand for environmental justice.
- vii. Compensations are almost non-existent, or where available, not adequate.

**Following the engagement with the community, CAPPa made the following recommendations to the Nigerian government:**

- 1) Enforcement of the court judgment asking Shell to end gas flaring in Iwerekhan
- 2) Compel Shell to abide by the ruling and compensate the locals for more than a decade of failing to stop gas flaring and other environmental abuse in Iwerekhan

- 3) Carry out a comprehensive environmental and health audit of the locals in Iwerekhan. For the locals, priority should be given to the aged, pregnant women, children, persons living with disabilities, and others. In environmental terms, there is a need for urgent geophysical and soil strength audits to ascertain the state of the community soil.
- 4) Engage the community to implement their collective demand for social amenities beyond mere financial support.
- 5) Immediate implementation of the host community development fund under the PIA Act 2021 to benefit the people of Iwerekhan.



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