

# Nigerians accuse Shell of delay in oil spill London lawsuits

By [Sam Tobin](#)

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Shell Plc is attempting to shield itself from scrutiny over pollution in Nigeria's oil-producing Niger Delta, lawyers representing more than 13,000 Nigerians argued at London's High Court on Tuesday, 4 April, allegations which the company strongly denies.



Source: May James/Reuters

Thousands of members of the Bille and Ogale communities are suing Shell and its Nigerian subsidiary SPDC over oil spills.

Shell strongly denies any liability and argues that parts of the cases were brought too late.

It also says the majority of the spills were caused by illegal third-party interference, such as pipeline sabotage and oil theft.

The company is asking the High Court to set an initial trial in early 2024 to decide whether parts of the case were brought

too late and whether SPDC is liable for oil spills caused by third-party interference.

Shell says two further trials could then take place to determine allegations against its subsidiary and Shell's alleged liability as its parent company.

## Arguable case for duty of care

Shell's proposal is "advanced as a device to shield (Shell) from scrutiny", Richard Hermer, a lawyer representing the claimants, said in court filings.

The case, parts of which began back in 2015, has already been to the UK's Supreme Court, which ruled in 2021 that there was an arguable case that Shell owed the claimants a duty of care.

Hermer said allowing Shell's application could put off a final decision on the lawsuits until 2029.

"The reality is that the defendants can readily afford for their claimants to run for seven more years but the claimants cannot," he said.



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## Need to address the 'real problem'

However, Shell's lawyer James Goldsmith told the court that "the claimants are responsible for the ongoing delays" by failing to provide enough detail about their cases.

"This is not an attempt to delay matters or out-resource the claimants," he added.

A Shell spokesperson said in a statement: "We believe litigation does little to address the real problem in the Niger Delta: oil spills due to theft, illegal refining and sabotage, with which SPDC is constantly faced and which cause the most environmental damage."

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