



## How To Pass A Transparency Resolution In Your City or Town

Dear friends of JINN,

On December 15, 2009, Richmond, CA joined Berkeley and Oakland to become the third city to pass a resolution calling for U.S. support for peace talks to resolve the root cause of the unrest in the Niger Delta and for passage of the Energy Security Through Transparency Act (ESTT), a corporate accountability bill currently before U.S. Congress. JINN led the lobbying efforts in these cities, and we write to share our winning strategy to encourage and inspire you to begin the process of passing a similar resolution in your city. Attached is our toolkit, which demystifies the process with advice and materials, including how to lobby officials, background on the Niger Delta, FAQs, and sample resolution.

Now is the perfect time to approach your local officials to seek their involvement in demonstrating to the federal government the emerging groundswell of support for corporate accountability. Images of the devastation in the Gulf of Mexico and lively debate about necessary regulation of oil companies continue to dominate the media. Your elected officials are in a position to take a cue from the situation in the Gulf as an impetus to communicate their constituents' desire that the federal government take action that will provide local communities everywhere with a new tool to hold oil companies to account.

A number of recent articles have compared the response of the media and the U.S. government to the Gulf spill with the ongoing recklessness of U.S. companies in the Niger Delta, which has resulted in spills the equivalent of one Exxon Valdez a year every year for the last fifty years there. This long-overdue media interest in the Niger Delta provides a timely hook to encourage local officials to send a message to the federal government that their constituents support resolving the root causes of the unfathomable environmental destruction and human rights abuses that devastating the Niger Delta.

When it comes to asking your City Council to pass a resolution in support of ESTT and peace talks in the Niger Delta, the most important thing to remember is that your local officials hold that position because your community voted them into office. They are there to serve the public's interest and to listen to the concerns of their constituents. Remember that the movement to end apartheid started with local cities and universities across the country. Federal legislators often follow the lead of local communities. This process is a means of amplifying the voices of local constituents with their federal legislators.

On an encouraging note, this has undoubtedly been one of the most exciting campaigns we have been involved in! Having the opportunity to experience multiple small victories when a city passes this resolution is extremely rewarding as an activist when it often seems like real, tangible victories are few and far between. The resolution strategy is adaptable for universities, churches, and unions to pass, too.

We thank all of you for your interest in this campaign and urge you to start your research on your local elected officials as soon as possible. You will also begin forming important relationships with your local officials that will prove useful in the future. Good luck. Don't hesitate to contact us if we can help you.

In peace and solidarity,  
Laura Livoti and Abby Rubinson



## How to Lobby Your Elected Officials to Support Peace and Transparency Measures for the Niger Delta

June 2010

Join us in building the grassroots momentum to encourage the U.S. federal government to promote corporate transparency and accountability and to support peace in the Niger Delta. One starting place is to win a local resolution pledging your city or town's support for peace talks in the Niger Delta and for the Energy Security Through Transparency Act, which would require the disclosure of payments by extractive industries to foreign governments.

The following steps provide a guide to lobbying your local elected officials to pass a city resolution:

- 1. Identify the key organization or coalition that will bottom-line passing this resolution.** Before contacting officials in your local government, identify key organizations and activists in your community working on social justice, human rights, and the environment. Ask them to support the resolution and work with you to get it passed. Develop a locale-specific cover letter and materials that identify the, social justice, human rights and environmental issues involved.
- 2. Be clear about your goals.** Are you just trying to win a vote? Or are you also trying to use this vote to educate and mobilize members of your community and other organized groups around the issues? Being clear about your goals may influence your strategy as the process unfolds.
- 3. Understand locally relevant circumstances.** If, for instance, the city that the Council represents is home to an oil refinery, then be sure everyone you are working with is on the same page regarding how to frame the resolution with respect to that company. You may want to highlight the fact that this resolution calls for support of legislation that would create new rules applicable to the oil company that has facilities in your community. Or perhaps you think the resolution will be successful if you don't specifically call out how it will affect that specific company, but rather all companies in extractive industries. The former might make sense when local sentiment is strong regarding the company's negative impacts and when local residents understand the imperative of regulating the company. The latter may be preferable if the company has big pockets and would mobilize its resources to oppose the resolution, making the battle will be harder to win. Not calling specific attention to the company but being accurate about the impact on all extractive industries may allow the resolution to pass and may result in critical regulations without encouraging fierce opposition from the company.
- 4. Understand in general how your City Council works.** How many members are there? Do they represent Districts or the City as a whole? How many votes does it take to win a Council vote? Are there ever tie votes and is there a process for tie-breaking (e.g. in some places the mayor casts a vote to break a tie). Does the Council have a consent calendar for items that Councilors expect to pass easily?

5. **Understand the process to bring a resolution to a vote before your City Council.** Are there key committees through which this type of resolution should or could come before going to the Council as a whole with a recommendation? (In Berkeley the Social Justice Commission played this role, but in Oakland and Richmond the resolution went straight to the Council for a vote.)
6. **Know your City Councilors.** Be sure you know who every member of the City Council is. Do background research on each one. Understand if a Councilor is perceived as a progressive or not, and learn how each Councilor typically votes on related measures. Some members may have specific reservations on matters they consider the jurisdiction of the federal government. Others know that local communities have an important role to play in influencing foreign policy and that U.S. foreign and energy policy impacts the conditions in their city. Be prepared to lobby accordingly and to answer these questions.
7. **Find out if there are typical voting blocks on the council.** Are there historic alliances or tensions between councilors? Do 4 of the Councilors usually vote together on the progressive side and 3 usually vote together on the conservative side? Are there key swing votes—someone who sometimes votes with one side and sometimes the other and whose vote is key to winning?
8. **Identify sympathetic officials.** Once you have familiarized yourself with the politics of each official and the Council's voting patterns, identify one Councilor whom you would like to sponsor and introduce the resolution. It may be necessary to meet with a couple of officials to identify the best ally. If you think you can win the swing voter over as the sponsor, it might make sense to ask her/him to improve the chances of winning your measure. If that isn't possible, you may want to consider asking a Councilor who is perceived as more moderate and who may therefore be better able to win the support of colleagues on opposite sides of the political spectrum. The most progressive Councilor may have a harder time gaining majority support—but again this isn't a rule, just a consideration. In Oakland the most progressive Councilor was the champion of our initiative and she and her staff did most of the heavy lifting, lobbying colleagues to vote unanimously in favor of our resolution.
9. **Request a meeting with the Councilor whom you would like to introduce the resolution.** When you know whom you would like to sponsor the resolution, call and ask for a meeting. If one of your goals is to educate, engage and mobilize the community, these meetings give you a hook to involve your constituency in seeking passage of the policy. Provide the sample resolution for passage as is or as a model for them to use in drafting their own specific resolution. If s/he wishes to draft her/his own language, offer the support and expertise of your coalition in drafting the final language of the resolution and offer to provide resolutions introduced in other communities as examples. Be sure you know what is the essence of what you want to pass so that it isn't modified to an extent that it no longer represents your core agenda. Check in with the Councilor and her/his staff regarding the extent to which the staff person can help lobby colleagues. It is very helpful if the Councilor's staff person can speak with the other Councilors' staff. S/he may be able to help familiarize you with the exact procedures and provide insight regarding the best strategy for passing the resolution. This person will be your key point-person to work with on scheduling the vote.
10. **Lobby the decision-makers.** Arrange meetings with every staff person (or phone calls at minimum)—but in-person meetings are much more effective. Designate one person as the contact for all communication between your coalition and your local officials. When calling

your local officials, ask to speak with their scheduler, tell her/him who your coalition is and ask for a meeting with the official. Be sure you know what constituents that official cares particularly about. If you are working with people who represent those constituents, try to arrange for a group meeting with the Councilor along with them. If the Councilor cannot meet with you, ask to meet with his/her aide. Persistence is key when calling to schedule meetings. Note the names and the status of meeting requests with each office to avoid confusing them.

- 11. Find out how the Councilor will vote.** At the end of every meeting, be sure you ask the question, "Councilor \_\_\_\_, we've enjoyed meeting with you to discuss these important issues and we appreciate your taking time from your busy schedule. Can we count on your vote in support of our resolution?" It is critical to ask this question in a clear fashion that allows only for a YES or NO. Politicians are masters at diplomacy and making you feel good about the conversation. They will happily give you an answer that leads you to believe you are likely to have their support but that leaves them an out to change their mind. Pin them down and get a hard yes or no so that you can figure out if you have the votes necessary to pass the resolution. If s/he gives an equivocal answer, follow up and ask, "What would it take to gain your unequivocal support?" You should learn something from that question. Maybe s/he will never vote for a measure that instructs Congress because s/he doesn't believe local government should be involved in federal-level policy decisions. In such a circumstance, you may be able to ask the Councilor to be absent during the vote or to abstain rather than to vote against it.
- 12. Schedule the vote.** When you are assured that you have sufficient votes in favor of the measure, work with the sponsor's staff person to schedule the vote. If it has been a while since your meetings with other staffers, call them to remind them that you are counting on their vote (again, phrase this as yes/no question) and that you want to be sure they know that the vote will happen on X date. Make sure the sponsor's staff person has the same conversations with her/his colleagues.
  - **Know what the consent calendar means.** If the sponsor suggests placing the item on the consent calendar, this means that they expect it to pass without any objection. Such uncontested items are typically brought up at the start of the meeting and voted on together with no comments allowed. This may be ideal for winning the measure. However, it also means that if your goal is to educate and mobilize the community, that your constituents won't have an opportunity to speak to the measure. Depending on your goals, you may tell the sponsoring councilor that you would like the item to be discussed by the council and voted on separately. In doing this, you risk that opposition will then also have the opportunity to speak.
- 13. Bring supporters to the Council meeting.** In all cases, it is important to have your supporters visible in the room. The Council chambers will have people sitting in the room to speak to and support or oppose a number of the measures on their agenda. If you turn out a big crew in support of your measure, the Council may not know it unless there is something that identifies them. You could have your supporters wear a bright yellow t-shirt that you've printed/painted with your logo, or you could print very large stickers that your people can put on their shirts. Some Councils have rules about what is allowed in the room. If allowed, you can bring a symbolic object that your supporters can lift up. Or signs that they can hold up. **Even if the item is on the consent calendar, bring supporters to the meeting.** There is always a way for a councilor to remove an item from the consent calendar and put it up for a floor discussion and

vote. If you send only a staff person because you expect it to pass on the consent calendar, you may discover that it is moved off the calendar and put up for discussion and you don't have the appropriate people in the room to argue for the measure.

- **Here's an example of why visibility at the meeting is important.** In Richmond, California we had a large number of supporters present. Some local activists came to speak to other items on the agenda, too. Since we had large stickers that everyone wore, when people spoke to other items it was apparent that they were also there for our item. This showed Councilors that some of the most engaged constituents also cared about our item. In addition, there was a very contentious local item on the agenda of the Council that night and the meeting went over time until midnight. Councilors were able to see all the people wearing stickers in support of our measure were present in the room all night. The Council might have been tempted to adjourn without voting on our measure given the late hour. Instead, the mayor proposed extending the meeting time, out of respect for all the people they could see had come out and sat in the meeting room for six hours.

**14. Prepare short and succinct talking points for the night of the meeting.** Provide facts on the Energy Security Through Transparency Act and on the importance of peaceful diplomacy, rather than more militarization, for the Niger Delta. Tell people what to expect—how many minutes the Council allows for speakers, when you think the item will come up on the agenda, and that they need to be present in the room from the start of the meeting until that time. Also be sure to explain that there is uncertainty as to the timing of the agenda items. (Councilors can move items on the night of the meeting.)

**15. Sign up speakers.** Be sure you know what time you need to be there to sign speaker cards for your speakers. Often that can only be done at the very start of the meeting and sometimes only by the individual her/himself. Get as many people as you can to sign up. It will matter to the Council that 20 people (not just two) want to speak to the measure.

- **Before the meeting, organize to ensure that you will have a good team present.** Ask for RSVP's. Be sure you have a representative team (city constituents, people from Nigeria, identifiable local activists). You will be stronger if you have people who represent different constituencies—faith leaders, union members or leaders, environmentalists, environmental justice advocates, peace activists, students, members of visible organized groups in the area, etc. Ask your crew to show up 30 minutes early so you can go over details and strategy with your team, hand out talking points, and answer frequently asked questions.

**16. Keep the local press informed.** Generating press coverage is a critical part of the resolution campaign, as companies are often sensitive to their public image. At every stage of the process where you have a media hook (introduction, committee hearing, vote), send media advisories to local newsprint and radio with some good quotes perhaps from the introducing official and the president or mayor, if supportive. When your local government successfully passes the resolution, send a press release including quotes from city officials and a member of your organization. Consider organizing a press conference with officials to announce your victory and of course, let us know, too!

For more information, visit [www.justiceinnigerianow.org](http://www.justiceinnigerianow.org) or e-mail [abby@justiceinnigerianow.org](mailto:abby@justiceinnigerianow.org). We can put you in touch with other activists and can offer educational materials on oil companies' impacts on local communities, transparency initiatives for extractive industries, speakers, and access to national networks.



## Background on the Niger Delta

Residents of the Niger Delta have struggled for decades to demand their share of the oil wealth which makes up 80 percent of the Nigerian government's revenues—providing over \$700 billion in oil revenues since oil was discovered in the late 1950's. However, since then, the Niger Delta has become poorer, with most villagers living on less than a \$1 a day, despite the Nigerian government and the oil companies' claims of sending a percentage of their oil revenues to the communities where the oil is extracted. In addition, the people have suffered massive human rights violations at the hand of the Nigerian military (sometimes at the behest of oil companies) when they have spoken up to demand clean water, electricity, and access to healthcare, education and jobs. Environmental destruction by the oil companies includes oil spills, water contamination, and gas flares that burn 24 hours a day, 7 days a week—contributing to respiratory illnesses, cancer, and significant CO<sub>2</sub> emissions. Civil society groups and armed political militant groups alike have called for peace talks to resolve the root cause of the historic underdevelopment of the Niger Delta. They seek a say in their own governance and a genuine investment in the development of the Niger Delta.

Nigeria is the one of the largest producers of oil in Africa and is an important strategic partner for the U.S. Nigeria exports over 40% of its crude oil to the U.S. and is Africa's most populous country—key to maintaining regional security in West Africa. Indeed, Nigeria was one of the important stops on Secretary

Clinton's 7-country trip to Africa in August 2009.

A political militancy has reduced Nigerian output for the last few years. Output has been even more dramatically reduced since May 2009 when militants began blowing up oil installations in response to an ongoing series of attacks by the Nigerian military claiming to be rooting out militants, but which destroyed local villages and displaced, killed, and injured innocent civilians. The political militancy of the last six years arose after 45 years of peaceful protest by villagers failed to yield any major improvements for local communities whose quality of life was decimated.

## Peace Talks for the Niger Delta

While Secretary Clinton was in Nigeria meeting with the President and the Foreign Minister in 2009, she pledged to explore ways that the U.S. can provide additional military assistance to Nigeria. This disturbing promise signals that that the Obama administration's foreign policy with regard to Nigeria is heading in the wrong direction.

In October 2009, several key militants accepted the Nigerian government's offer of amnesty if they turned over their weapons and vowed to renounce militancy. However, any arguable short-term success of the amnesty does not solve the larger, remaining questions regarding how to best develop the region and provide a real say in governance for those living in the Delta—the richest area of the country in terms of resources, but one of the

least developed. Many accounts from experts, civil society in Nigeria, and the political militants themselves are skeptical about the effectiveness of the 2009 amnesty because the agreement did not address the root causes of poverty, underdevelopment, human rights abuses and environmental damage in the region.

## The Possible Opportunity

Nigeria is confronting a serious crisis but one that can be turned into an opportunity. The United States can help provide the leadership and influence to ensure that a creative and constructive solution to the root causes of the troubles in the Delta is undertaken. Peace and stability will result when the wealth gleaned from oil producing communities is invested in a legitimate way to develop local communities that today live without clean water, electricity, educational and employment opportunities; when the Delta's residents are able to participate meaningfully in governance; when communities destroyed by the military are rebuilt; when villagers don't live under constant threat by the presence of the Nigerian military; when there is a legitimate environmental audit to establish a baseline for clean-up that is then followed up with mitigation measures; when the wasteful, toxic and climate-disrupting practice of flaring natural gas is ended; and when there is free and unfettered access to all parts of the Delta for journalists, human rights groups, and humanitarian organizations.

The key requests from Nigerian civil society, the political militants and experts are the same, though their approaches may differ. They want:

- A complete withdrawal of the Nigerian military forces from the Niger Delta;

- Third-party monitored peace talks that include all stakeholders;
- Free and unfettered access to all parts of the Delta by journalists, humanitarian aid groups and human rights organizations;
- Real investments in the development of the Niger Delta and rebuilding of villages destroyed by military attacks.

The situation in the Niger Delta presents an opportunity for transformational change that addresses the needs of multiple stakeholders:

- **Oil companies** can't operate in this unstable climate (note Chevron and Shell's output were dramatically cut when militants blew up pipelines in response to the military crackdown); they need a resolution.
- **U.S. government** needs a resolution for its own energy and economic security (Nigerian oil was 16% of U.S. oil imports in 2008, when capacity was already reduced to about half of projections due to militant activity).
- **Nigerian villagers** have been calling for a fair share of profits since the 1970s and a new constitutional convention or diplomatic negotiations through the Ogoni bill of Rights, Kaiama Declaration, and others since the 1990s.
- **Political Militants** seek a path to real political power (akin to the Good Friday Agreement between Sinn Fein and the IRA) and have been asking for peace talks monitored by a neutral third party.

## Senators' Calls for Peace:

Former presidential candidate and Chair of the Senate Foreign Relations Committee John Kerry issued a statement calling for peace and a process to resolve the issues of the Delta.

Senator Russell Feingold, also a member of the Senate Foreign Relations committee, also issued a statement calling for legitimate political negotiations.

**John Kerry's May 23, 2009 Statement:**

"The Niger Delta is home to massive oil reserves, but these resources have brought more suffering than wealth to the people of the Delta through corruption, environmental destruction, and lack of development. Reports of growing civilian casualties and displacement in the latest clash between the government forces and armed groups are extremely disturbing. Civilian protection and humanitarian needs must be prioritized in the current offensive, and all parties to the conflict should engage in a process to bring an end to the widespread violence and criminality that have long plagued the region and to address the needs of the population."

**Russ Feingold's May 22, 2009 Statement:**

*On the Nigerian military's ongoing offensive in the Niger Delta*

"I am very concerned by reports that hundreds of civilians have been killed and potentially thousands displaced by the Nigerian military's ongoing offensive in Nigeria's oil-rich Delta region. Some military actions may be justified to stop the criminality, kidnappings and killings by militants in the Niger Delta, but such measures should be accompanied by a larger political strategy. Genuine peacemaking will require not only legitimate political negotiations but a convincing case for transforming the illicit war economy into one of peace. The Nigerian government needs to undertake a serious and sustained initiative to address the underdevelopment of the region. I urge the Obama administration to think creatively about how we can work

multilaterally to help end this long-standing crisis in the Niger Delta."

**Transparency and Accountability**

The role that oil companies play in the Niger Delta cannot be understated. They have been involved in mass environmental damage and gross human rights abuses since oil was first extracted in the late 1950's. It is essential to find ways to hold oil companies accountable for their actions abroad where they often work in collusion with corrupt governments.

To date, groups like Publish What You Pay (<http://www.publishwhatyoupay.org/>) have made efforts to voluntarily get countries to sign on to agreements that would encourage companies to disclose their payments to governments. The Extractive Industry Transparency Initiative (EITI) aims to strengthen governance by improving transparency and accountability in the extractives sector. However, the EITI is a voluntary initiative, implemented by countries whose governments sign-up to do so; mandatory regulation is essential.

In September 2009, Senator Richard Lugar (R-IN) introduced the Energy Security Through Transparency Act (ESTT) [S.1700], with bipartisan co-sponsorship. This bill is a step would require corporations in the oil industry, both US corporations and any other corporation that files with the Security and Exchange Commission (SEC), to disclose payments made to foreign governments for commercial development of oil, natural gas, and minerals. If this bill passes, oil companies working in the Niger Delta will be required to disclose their payments to the Nigerian government.

**For more information visit Justice In Nigeria's website: <http://www.justiceinnigerianow.org>**



## Frequently Asked Questions about Peace and Transparency in the Niger Delta

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- **Why it is important for my city to encourage a U.S. foreign policy that supports peace talks in Nigeria (not more military)?**

Since oil exploration began in Nigeria, over \$700 billion dollars has been extracted from the Niger Delta through oil production, but the majority of local communities don't have electricity or educational opportunities. Over 40% of Nigeria's oil is exported to the United States. U.S. oil companies including Chevron, Shell, and Exxon Mobil operate in the Niger Delta and are responsible for the reckless practices that have decimated the population of fish that fed previously self-sufficient villagers who now are unable to support themselves and their families. The lack of clean water, food, jobs and educational opportunities, along with the use of the notoriously brutal Nigerian military to violently suppress peaceful protest, have led to insecurity and instability in the region. Peace talks to negotiate solutions to the unrest in the Niger Delta—which is rooted in historic underdevelopment, a lack of representation and electoral integrity—are essential to security and democracy in Nigeria.

Moreover, U.S. energy security is inextricably linked with stable oil flows from Nigeria and peace in the Niger Delta. Secretary of State Hilary Clinton has pledged U.S. to explore expanding the U.S. military resources available to Nigeria. This is fundamentally the wrong path for the U.S. to head down. Local governments should send a strong message to the State Department and their congressional representatives that they want to see the U.S. pursue energy and foreign policies that promote peace through root-cause solutions to the problems that plague the Niger Delta. Remember

the anti-apartheid movement gained momentum that started with leadership by local governments.

- **Why it is important for my city to show support for the Energy Transparency Through Security ACT (ESTT)?**

This Act, which was introduced as a bill in the U.S. Senate in 2009, would require all extractive industries to honestly and responsibly report the payments they make to foreign governments. It is a key measure to promote transparency by companies doing business in the U.S. and operating abroad. (Read the bill at <http://thomas.loc.gov/cgi-bin/query/z?c111:S.1700>.)

- **How does disclosing these payments help local communities?**

This information when publically disclosed will become available to affected communities, to NGOs, and to journalists. Public disclosure will become a powerful tool for people who are adversely affected by resource extraction but who rarely share in its profits. Once these communities know how much companies are paying their government for their natural resources, they can call for a fair share of the profits to go to community needs like education, health care, and jobs. The availability of this information will aid the fight against corruption. Moreover, it is possible that the mere fact that the information will become public will act as a deterrent to abuses by extractive industries.

- **How much do officials already know about the impunity with which oil companies operate and lack of transparency in the Niger Delta?**

When it comes to Big Oil, it is quite possible that very few of your local officials know much about the actual regulations and policies in place to

monitor oil companies other than what they have recently seen on the news. In my experience this has worked to our advantage. The majority of officials we met with had limited knowledge of the extent to which oil companies operate without adequate, effective monitoring by the government and were interested to learn more.

- **How do these issues relate to me as a U.S. resident?**

These issues are important for your city to vote on to show that you care about the people and environment in the places where the oil that powers our lives comes from, and to show your representatives in the Obama administration and in Congress that your city supports diplomatic solutions and corporate accountability.

- **What is the current situation in the Niger Delta that necessitates this attention?**

People in the Niger Delta are facing an environmental and human rights disaster that requires international intervention. To put the situation in perspective, the amount of oil spilled in the Niger Delta is the equivalent of an Exxon Valdez sized oil spill *every year* for the past 50 years.

- **How has the U.S. responded to the situation to date?**

The U.S. State department has said that they will work to solve the conflict by providing additional military support to Nigeria. This is not the answer. Peace talks that bring all stakeholders to the table (like what happened in Ireland in 1998) are needed.

Former presidential candidate and Chair of the Senate Foreign Relations Committee John Kerry issued a statement calling for peace and a process to resolve the issues of the Delta. Senator Russell Feingold, also a member of the Senate Foreign Relations Committee, also issued a statement calling for legitimate political negotiations. They are two important Senators and they need support from their colleagues.

Your city can help generate the momentum for this support this effort by calling on Congress and

the State Department to support diplomatic solutions, not military assistance.

- **What arguments might be particularly persuasive with the more conservative members of the Council?**

We found that more conservative members responded well to the argument that the resolution poses no risk to the city financially because we are not asking for them to make any expenditure. They may also respond well if you point out that oil companies in Nigeria have a history of hiring the military, including under notoriously brutal dictators, like Sani Abacha (former dictator of Nigeria, 1993-98), knowing that the funds were being used to build up the military regime that violently suppressed peaceful protest rather than creating any real infrastructure for the benefit of the people. Unfortunately, oil companies still hire the military as their security forces, and its violent suppression of peaceful protest remains a common occurrence.

- **Would this legislation hurt U.S. companies?**

The Energy Security Through Transparency Act would not disadvantage U.S. businesses because it does not single out U.S. companies. Rather, the bill applies to all extractive industries companies (oil, gas, and mining) registered with the U.S. It would apply equally to companies based in China, the Netherlands, Russia, Brazil, Australia, and Canada.

- **Are there reports or publications you would recommend offering to officials?**

With any official be sure to mention the reports from several formal Congressional hearings on similar transparency legislation introduced in the U.S. House and Senate in 2008. [Also mention that you can provide them with copies of the reports from those hearings. (Contact [abby@justiceinnigerianow.org](mailto:abby@justiceinnigerianow.org) to request copies.)]

Amnesty International also released a comprehensive report on these issues (with a focus on Shell) in 2009, "Nigeria: Petroleum, Pollution and Poverty in the Niger Delta," available at <http://www.amnesty.org/en/library/info/AFR44/017/2009/en>.



**Sample Resolution calling for U.S. support for third-party diplomatic negotiations in the Niger Delta and support for the Energy Security Through Transparency Act**

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**A RESOLUTION CALLING FOR U.S. SUPPORT FOR THIRD-PARTY DIPLOMATIC NEGOTIATIONS IN THE NIGER DELTA AND SUPPORT FOR THE ENERGY SECURITY THROUGH TRANSPARENCY ACT**

[[[IF YOUR CITY HAS PASSED RESOLUTIONS ADOPTING HUMAN RIGHTS PRINCIPLES, ADD THIS:

**WHEREAS**, the \_\_\_\_\_ City Council passed a resolution in \_\_\_\_\_ adopting [[[relevant resolution(s), e.g. relating to human rights principles]]]; and ]]]

**WHEREAS**, Nigeria is the fifth largest exporter of crude oil to the U.S., to which it sends over 40% of its export supply; and

**WHEREAS**, the Niger Delta has experienced 50 years of human rights abuses and exploitation from the oil industry and the Nigerian government, with its population continuing to suffer poverty and human rights abuses; and

**WHEREAS**, the Niger Delta has deteriorated into a major environmental devastation area—enduring the equivalent of an Exxon Valdez-sized oil spill every year for the past 50 years; and

**WHEREAS**, the Nigerian government began a military offensive in May 2009 in the Niger Delta that resulted in the death, injury, and internal displacement of its own civilian population; and

**WHEREAS**, Secretary Hillary Clinton, during her mid-August 2009 visit to Nigeria stated support for the government’s approach to security in the country and pledged to explore U.S. military support to the Nigerian government in its efforts to stabilize the Niger Delta; and

**WHEREAS**, many Niger Delta civil society groups, independent experts and some armed militants note that the amnesty begun in 2009 will be ultimately ineffective because it does not address the root causes of the crisis, including poverty and underdevelopment, lack of resource control by local communities, or lack of an effectual say in governance by and for the people of the region; and

**WHEREAS**, gas flaring in Nigeria has a serious effect on the health of local communities, with its greenhouse gas emissions accounting for 45 million tons of CO<sub>2</sub> equivalent annually, according to statistics from the World Bank's Global Gas Flaring Reduction Partnership; and

[[[IF YOUR CITY IS NEAR A REFINERY OR FACILITIES OPERATED BY AN OIL COMPANY THAT DOES EXTENSIVE BUSINESS IN NIGERIA, SUCH AS SHELL OR CHEVRON, ADD THIS LANGUAGE:

**WHEREAS**, \_\_\_\_\_ Corporation is one of the largest oil companies working in Nigeria; and

**WHEREAS**, \_\_\_\_\_ Corporation operates a refinery located in \_\_\_\_\_, which is close to \_\_\_[your city]\_\_\_\_, giving \_\_\_[your city]’s\_\_\_\_ residents a direct stake in how our oil is extracted; and]]]

[[[IF YOUR CITY HAS A LARGE NIGERIAN POPULATION, ADD THIS LANGUAGE:

**WHEREAS**, \_\_\_[your city]\_\_\_\_ is home to \_[#]\_\_ Nigerians/the \_[#]’<sup>th</sup>\_\_ largest population of Nigerians living in the United States; and ]]]

[[[IF YOUR CITY HAS A HISTORY OF SUPPORT FOR FAIR TRADE AND SUSTAINABLE PRACTICES, ADD THIS LANGUAGE:

**WHEREAS**, \_\_\_[your city]’s\_\_\_\_ consumers are renowned as strong advocates for fair trade and want to know that the products they use do not exploit people or the environment; and ]]]

**WHEREAS**, Nigeria is confronting a serious crisis that can become a moment of opportunity; and

**WHEREAS**, the U.S. can help provide the influence to ensure the undertaking of a constructive solution that addresses the root causes of the crisis in the Niger Delta; and

**WHEREAS**, the U.S. can help foster positive change in alignment with its values as a country that promotes democracy, freedom of the press, and peace through a process of diplomacy and independently monitored negotiations—negotiations that could remap how oil revenues are used so that they benefit Niger Delta communities and ensure that Niger Delta residents have a genuine say in their own government, leading to a true comprehensive political framework for peace; and

**WHEREAS**, Senator Richard Lugar (R-IN) introduced the Energy Security Through Transparency (ESTT) Act [S. 1700] in the U.S. Senate that, if passed, would require transparency from extractive industries in their payments to foreign governments, which will provide a valuable tool for local communities in Nigeria and their allies overseas to hold companies accountable;

THEREFORE BE IT RESOLVED that the \_\_\_\_\_ City Council does hereby request that the Obama administration and the \_\_\_[your state]\_\_\_\_ Congressional delegation support independently monitored third-party diplomatic peace talks in the Niger Delta, with a comprehensive, representative set of stakeholders, to foster innovate and effective solutions to the underlying causes of the troubles in the Niger Delta; and

BE IT FURTHER RESOLVED that the \_\_\_[your city]\_\_\_\_ City Council encourages the Nigerian government with its oil company partners to work to end the destructive practice of gas flaring, to develop the Niger Delta in earnest and, to rebuild the communities destroyed in the 2009 crisis; and

BE IT FURTHER RESOLVED that the \_\_\_[your city]\_\_\_\_ City Council does hereby support the Energy Security Through Transparency (ESTT) [S.1700] Act introduced by Senator Lugar and the introduction of a similar bill in the House; and

BE IT FURTHER RESOLVED that the \_\_\_[your city]\_\_\_\_ City Council direct the City Clerk to send copies of this Resolution to the President of the United States, the Secretary of State, Senators \_\_\_\_\_ and \_\_\_\_\_ and Congressman \_\_\_\_\_.