



Follow Up regarding the Specific Instance of Odoh Family vs The Shell Petroleum Development Company of Nigeria Ltd.

Date: 7 January 2026

Follow-up on the Final Statement by the Dutch National Contact Point for the OECD Guidelines for Multinational Enterprises. The Final Statement was published on 11 July 2024.

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1. Introduction

On May 6, 2021 the Dutch National Contact Point for the OECD Guidelines for Multinational Enterprises (NCP) received a notification of a specific instance from the Odoh family, Nigeria with regard to an alleged violation of the OECD Guidelines for Multinational Enterprises (hereinafter: the Guidelines) by The Shell Petroleum Development Company of Nigeria Ltd. (hereinafter: SPDC). Since the parent company of SPDC moved on 31 December 2021 from the Netherlands to the UK, the Dutch NCP discussed with the UK NCP which NCP should continue handling the notification. Both NCPs agreed that the Dutch NCP would continue handling the notification as the parent company was still based in the Netherlands at the time of the submission.

In the submission, Odoh Family alleged that SPDC 1) did not act in line with local laws and regulations; 2) acquired land and water without appropriate prior engagement with the owners, i.e. the Odoh family; 3) denied the right to own and use properties; and 4) spilled oil on land and water which was used for livelihood purposes.

In its Initial Assessment of 10 February 2022, the NCP concluded that the issues raised against SPDC merited further consideration on the basis of the criteria laid out in the commentary to the Procedural Guidance for NCPs, para 25, and offered its good offices to the Parties. The good offices were accepted by the notifying parties, though not by the enterprise.

Subsequently, the Dutch NCP conducted a further examination, to assess whether the enterprise observed the Guidelines on the grounds put forward in the notification.

In the Final Statement, the NCP described its findings and conclusions on the issues raised in this Specific Instance, as well as recommendations to SPDC.

The NCP published a Final Statement on 11 July 2024, concluding that the company had not fully observed the Guidelines, noting in addition that the company's operational-level grievance mechanism (OLGM) was not functioning in line with step 6 of OECD Due Diligence Guidance for Responsible Business Conduct. The NCP also considered the company's observance of the Guidelines in relation to three subsequent complaints that had been made against the same company in four years' time, and concluded that the company had not conducted sufficient meaningful stakeholder engagement, lacked an adequately functioning OLGM, and could have cooperated better with the NCP.

The following recommendations were issued by the NCP to the company:

- To engage meaningfully with the Odoh family in order to adequately address the issues concerning the use of and access to the land and lake as well as the financial compensation related to the alleged and seemingly still ongoing adverse impact on livelihoods.
- To ensure and, subsequently, communicate to the Odoh family and other relevant stakeholders that the contaminated land and siltation of lake was remediated, i.e. brought back to its original state, in order to demonstrate the enterprise remediated adverse impacts
- To ensure and demonstrate that its OLGM was in line with the core criteria and functions accordingly, in order to provide a legitimate process where actual and potential adverse impacts could be addressed.
- To cooperate in good faith and meaningfully with legitimate remediation mechanisms.
- To exercise to the fullest extent possible its leverage on the SPDC JV partners in order to cooperate with remediation mechanisms through which impacted stakeholders and rightsholders could raise complaints and seek to have them addressed by the enterprise.
- In the event that the enterprises' leverage would have been exercised to the fullest extent possible without the expected behavioral change of the JV, the NCP recommended the enterprise to consider ways to build additional leverage with the SPDC JV partners.

In the event of failed attempts of exercising leverage on its business partners, the NCP recommended disengagement from the SPDC JV. With regard to the enterprise's sale of SPDC, the NCP recommended disengaging responsibly in order to prevent, mitigate and remedy social and economic adverse impact.

2. Procedure of the Follow-up

According to the NCP procedure, the NCP initiates a Follow-up one year after the publication of a Final Statement. The purpose of such a Follow-up is for the NCP to assess, based on information provided by the parties, what follow-up actions parties have taken in relation to the results of the dialogue and/or the recommendations made by the NCP. Usually, this process is done in writing but in case the parties prefer, the NCP can also organize a meeting.

However, in this specific instance, the enterprise was sold eight months after publication of the NCP's Final Statement. On 13 March 2025, Shell completed the sale of SPDC to Renaissance Africa Energy Company (Renaissance). The NCP attempted to get in contact with Renaissance in order for it to give an account of the follow-up actions that were taken in relation to the NCP's recommendations made in its Final Statement. Most of the above mentioned recommendations are equally relevant for Renaissance in order to respect the OECD Guidelines, with exception of the last two recommendations related to disengagement.

Neither the enterprise nor notifier provided any response to (multiple) written requests for evaluation from the NCP.

A Follow-up publication was drafted and shared with both parties for comments. In the absence of any response, the NCP finalized the Follow-up and posted it on its website on 7 January 2026.

Date	Actions
22 September	NCP requested Shell for contact details of Renaissance
7 October 2025	NCP sent mails to both parties requesting information on what follow-up they gave to the NCP's recommendations. The mail to the enterprise was sent to a general point of contact found through their website.
15 and 28 October 2025	NCP sent reminders to notifier
12 November 2025	Draft text sent to both parties for comments
	No comments received from the notifying party/ the company
7 January 2026	Publication of the Follow-up of the Final Statement

3. Conclusion of the NCP

As no information was provided by the parties, the NCP could not assess follow-up actions taken after publication of the Final Statement. Looking back at the whole procedure, the NCP regrets that it cannot evaluate whether its proceedings have contributed to the resolution of the issues raised in this specific instance.

The role of National Contact Points (NCPs) is to further the effectiveness of the OECD Guidelines. The Dutch government has chosen to establish an independent NCP, which is responsible for its own procedures and decisions, in accordance with the Procedural Guidance section of the Guidelines. In line with this, the Dutch NCP consists of four independent members, supported by four advisory government officials from the most relevant ministries. The NCP Secretariat is hosted by the Ministry of Foreign Affairs. The Minister for Foreign Trade and Development Cooperation is politically responsible for the functioning of the Dutch NCP. More information on the OECD Guidelines and the NCP can be found on the [NCP Website](#)

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