MAKING RIGHTS REAL THROUGH TRANSNATIONAL ADVOCACY : AMNESTY INTERNATIONAL'S SHELL CAMPAIGN

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Thematic Paper
entitled

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ABSTRACT

Frames that are projected through campaign slogans play a pivotal role in shaping the opinion of the public in transnational advocacy. This study is focused on the slogan "Shell: Own Up, Pay Up, Clean Up", a campaign conducted by Amnesty International in April 2012 against the Royal Dutch Shell Company (Shell Oil / Shell). It explores the frames used by Amnesty International to promote the human rights of the Nigerian Ogoni community living in the Niger Delta. The study also investigates the reactions of the Shell Company to the frames that have been presented by the Amnesty International campaign slogan. The research is based on secondary data that was gathered from reports of Amnesty International, its press releases, newsletters, campaign briefing sheets, e-mails, Amnesty International in-country web sites, and Shell Company's in-country websites. Through discourse analysis, the study examines the text and the context of the frames used in the Amnesty International campaign slogan and the reactions of the Shell Company to these frames. The frames used in the Amnesty campaign slogan and the reactions of the Shell Company reveal how the Shell Company and the Nigerian government have been compelled to appear as duty bearers to respect and protect human rights in the eyes of the public. The study concludes by highlighting how human rights can be promoted by imposing obligations on companies such as Shell through effective framing that is presented through the campaign slogans in the context of transnational advocacy.

KEY WORDS: AMNESTY INTERNATIONAL'S SHELL CAMPAIGN/ FRAMES/ SLOGAN/REACTIONS OF THE SHELL COMPANY/HUMAN RIGHTS/ TRANSNATIONAL ADVOCACY

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44 pages

CONTENTS

	Page
ACKNOWLEDGEMENTS	**iii**
ABSTRACT	**iv**
CHAPTER I INTRODUCTION	**1**
1.1. Introduction to the Study	1
1.2. Purpose of the Study	3
1.3. Research Objectives and Questions	4
1.3.1. Research Objectives	4
1.3.2. Research Questions	4
1.4. Research Methodology	4
1.4.1. The Relationship of the Purpose of the Study, Research Objectives and Research Questions	4
1.4.2. Research Methods	5
1.4.3. Limitations of the Study	6
1.5. Organization of the Study	6
CHAPTER II CONCEPTUAL FRAMEWORK AND BACKGROUND OF THE STUDY	**8**
2.1. Framing Methods	8
2.2. Catch Phrases in Human Rights Related Campaigns	9
2.3. Background of the Campaign	10
2.3.1. Context of the Amnesty International Campaign	10
2.3.2. Overview of the Amnesty International Campaign	12
2.4. Responses to the Amnesty International Campaign	13
2.5. The Counter Actions of the Shell Company to the Amnesty International Campaign	14
CHAPTER III CATCH PHRASE "SHELL: OWN UP, PAY UP, CLEAN UP" IN A BROADER CAMPAIGN CONTEXT	**17**
3.1. "Own Up" Frame of the Slogan	17

CONTENTS (cont.)

	Page
3.2. “Pay Up” Frame of the Slogan	18
3.3. “Clean Up” Frame of the Slogan	20
3.4. Naming and Shaming the Shell Company through the Frames of the Slogan	21
3.4.1. Naming	21
3.4.2. Shaming	22
3.5. Supporting the Frames from National Law and International Human Rights Law	23
3.5.1. Justifications for the Duty of the Shell Company in Respecting Human Rights	23
3.5.2. Justifications for the Duty of the Nigerian Government in Protecting Human Rights	26
CHAPTER IV IMPOSITION OF HUMAN RIGHTS OBLIGATIONS THROUGH THE SLOGAN	**29**
4.1. Epilogue: Reactions of the Shell Company to the Frames Projected in the Amnesty International Campaign Slogan	29
4.2. Positioning of the Shell Company by the Slogan	32
4.3. Mobilization of the Viewer by the Slogan	34
CHAPTER V CONCLUSION	**36**
BIBLIOGRAPHY	**39**
BIOGRAPHY	**45**

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CHAPTER I
INTRODUCTION

1.1 Introduction to the Study

With the advent of globalization and rapid economic activities of the global markets, concern of the public has begun to develop on the negative impacts of multinational corporations on human rights. This study is about one such example of a campaign launched by Amnesty International[1] against the Shell Company for violating the human rights of the Nigerian Ogoni community living in the Niger Delta. "Shell: Own Up, Pay Up, and Clean Up" is the slogan of the campaign launched by Amnesty International during a week in April 2012. The current study is on this campaign slogan of Amnesty International which opposes for the actions of the Shell Company.

The present study seeks to understand the frames[2] used by Amnesty International to promote the human rights of the Nigerian Ogoni community. It discusses the prevalent justifications from national and international human rights law to support the gist of the frames used in the Amnesty International campaign slogan. The study manifests how Shell Company has been made a duty bearer to respect human rights by naming and shaming its actions. It also shows how the Nigerian government has been framed as a duty bearer for protecting human rights of the Ogoni community.

The study also attempts to find out the reactions of the Shell Company to the frames that have been projected through the Amnesty International campaign slogan. It discusses the reactions of the Shell Company to the Amnesty International

[1] Amnesty International is the largest human rights organization in the world which runs a wide array of campaigns for the protection and promotion of human rights (Amnesty International 1992).

[2] Frames make people understand different dimensions of the society. They significantly contribute to the construction of social reality by molding individuals' perspectives. Effective framing is similar to the construction of a house from the initial block. Framing can be better understood as a "window" or a "portrait frame" that is placed around the information restraining the relevant subject matter and highlighting the salient information (Hallahan 1999, p. 207).

campaign in chapter two. The counter actions of the Shell Company to the frames depicted through the slogan are further discussed in chapter four in the epilogue.

Since the campaign occurs beyond the national borders, it is considered as a transnational campaign. The campaign by Amnesty International is not a mere transnational campaign; it is also a transnational advocacy campaign. Advocacy can be defined as the "actions taken to express ones view" to promote a specific "cause or a belief and or to exercise rights" (Gary and Albrecht 2006, p. 42). The current campaign attempts to take action to exercise the rights of the Ogoni community in the Niger Delta. Consequently the Amnesty International campaign can be viewed as a transnational advocacy campaign launched against the actions of the Shell Company. The references made in the study such as 'the Shell campaign', 'the campaign' and 'Amnesty International campaign' all denote to the same campaign conducted by Amnesty International against the Shell Company. It should also be noted that any reference made to the 'campaign' indicates the campaign conducted by Amnesty International because the study does not recognize the reactions of the Shell Company as a campaign.

In the context of transnational advocacy[3], framing plays an indispensible role in shaping the perspectives of the receiver's message. Framing is vital for transnational advocacy because it is the lens through which a campaign's[4] actions are primarily mobilized. The frames presented in the campaign slogan "Shell: Own Up, Pay Up, Clean Up" mobilize the viewer to perceive Shell Company as a duty bearer for violating the human rights of the Ogoni community. The frames also make the Nigerian government appear as responsible for protecting its citizens from the harmful operations of the Shell Company.

The conceptual framework of the study is derived from framing devices or methods which are discussed in detail in chapter two. Chapter two draws from the concepts of 'frames in communication' and 'frames in thought' by Chong and Druckman (2007). However the focus of the current study is directed only at the

[3] For the purpose of the study, 'transnational advocacy' can be identified as cross border actions taken by a group of actors who are bound by collective norms and values to promote the rights of other individuals (Keck and Sikkink 1998).

[4] A campaign is defined as "Strategically linked activities where members of a network develop explicit visible ties and mutually recognizes the roles in pursuit of a common goal" (Keck and Sikkink 1998, p. 6).

'frames in communication'. The second chapter of the study differentiates between the two notions of 'frames in communication' and 'frames in thought' and highlights the focus area of the study which is 'frames in communication or media frames'. Since there are many devices of framing, limelight of the current study is directed only at the slogans. In discussing slogans in chapter two, the study refers to the work of Gamson and Modiglani (1989) and Tankard (2001).

1.2 Purpose of the Study

Transnational advocacy is considered a censured discourse in the literature of international politics due to its replication of conceptions mainly from the social movement theories and framing paradigms (Keck and Sikkink 1998). Nevertheless it is also an emerging field of literature which has not been explored deeply. Although studies have been conducted on power dynamics of national and international actors of transnational advocacy from a conventional standpoint, not much effort has been taken to investigate the frames utilized in campaigns to promote the human rights. Even more, less attention has been paid to understand the frames used in campaign slogans.

Thus the present study is undertaken firstly to look at transnational advocacy from the perspective of framing. It is an attempt made to understand the frames used in campaign slogans and how human rights are promoted through such frames. Secondly, it is expected that the study will contribute to the body of literature by shedding new insights in to the area of promotion of human rights through transnational advocacy.

A campaign by Amnesty International has been particularly selected because Amnesty International is the most renowned and largest International human rights organization which conducts a vast array of transnational advocacy campaigns. This campaign has been selected mainly because of the availability and accessibility of relevant data and also because it serves the purpose of understanding the frames used to promote human rights in the context of transnational advocacy. The reason I was involved in this campaign while I was interning at Amnesty International Thailand has also contributed to select the Shell campaign predominantly.

1.3 Research Objectives and Questions

1.3.1 Research objectives

- To identify the frames that have been used in the Amnesty International campaign to promote human rights
- To understand the relationship between the frames used by Amnesty International and the concerning operations of the Shell Company

1.3.2 Research questions

- What are the frames that have been used by Amnesty International in the campaign slogan "Shell: Own Up, Pay Up, and Clean Up" to promote human rights?
- What are the reactions of the Shell Company to the frames that have been brought about through the slogan?

1.4 Research Methodology

1.4.1 The relationship of the purpose of the study, research objectives and research questions

Purpose/ Rationale	Research objectives	Research questions
To look at transnational advocacy from the perspective of framing and understand the frames used and how human rights are promoted through them.	To identify the frames that have been used in the Amnesty International campaign to promote human rights.	What are the frames that have been used by Amnesty International in the campaign slogan "Shell: Own Up, Pay Up, and Clean Up" to promote human rights?
To address the gap in the body of literature in transnational advocacy by shedding new insights on frames utilized in campaigning to promote human rights.	To understand the relationship between the frames used by Amnesty International and the concerning operations of the Shell Company.	What are the reactions of the Shell Company to the frames that have been brought about through the Amnesty campaign slogan?

1.4.2 Research methods

Gasper and Apthorpe (1996, p. 2) delineate 'discourse' as "ensemble of ideas, concepts and categories through which meaning is given to phenomena". According to Paltridge, (2006, p. 2) discourse analysis, explores not only the patterns of language in texts, but also the socio and cultural contexts in which the text occurs. Juez (2009, p.10) manifests the multidisciplinary nature of the discourse analysis method which draws from a range of subject streams such as linguistics, poetics, semiotics, psychology, sociology, anthropology, and so on.

Discourse analysis has inherited a diversity of styles and forms of analysis owing to its multi-disciplinary nature. Consequently there are many ways that a researcher can apply discourse analysis, depending on the investigated research problem (Paltridge, 2006, p. 20). Gasper and Apthorpe (1996, p. 4) point out, despite the fact that discourse analysis may sounds impressive and fashionable; it requires "vast amounts of effectively organized knowledge". Consequently to avoid complication or confusion that may arise due to the complexity of discourse analysis, the study will set clear parameters of utilizing this methodology.

The current study utilizes discourse analysis as the research methodology to analyze the campaign slogan and to explore how human rights are promoted through it by identifying the duty bearers of the violations of human rights. It looks at the frames used in the campaign slogan of "Shell: Own Up, Pay Up, and Clean Up" and the reactions of the Shell Company to the presented frames. The objective of utilizing the discourse analysis method is to better comprehend the human rights dynamics involved in each of the frames brought about through the slogan. Consequently the study will not scrutinize the mere social and cultural factors associated with the frames. Rather, it will examine the overall social and cultural contexts associated with the violations of human rights. For example, the study probes the implication of the campaign slogan beyond the textual terms. It looks into the "Own up" dimension of the slogan beyond the concept of 'ownership and accountability'. The study attempts to understand the rights based rationale supporting the frames and the human rights background of the arguments put forth by the Amnesty International campaign slogan. Precisely, the study attempts to investigate

both the text and the human rights related contexts of the campaign slogan through secondary research material.

The study is a qualitative analysis that uses the data from a number of sources. These include reports of Amnesty International, press releases of Amnesty International, its newsletters, campaign briefing sheets, e-mails, Shell Company's in-country websites and Amnesty International in-country web sites , etc.

1.4.3 Limitations of the study

The present study has identified three main constrains. Firstly, lack of extensive research in the subject area of 'framing in transnational advocacy' has limited citing and discussing previous studies that have been conducted, in the present study's conceptual framework section. However this limitation has also emphasized the requirement of further research in this area. This study is based completely on the secondary data that has been gathered from Amnesty International and the Shell Company. Consequently limiting the data to secondary sources has secondly restrained the study from independently and objectively verifying the data that can be generalized. Thirdly, the current study probes only the research questions of 'what', attempting to identify the specific frames used in the Amnesty International campaign and the reactions of the Shell Company. This has limited the research from delving deep into 'why' questions and identifying the reasons for the research questions. Nevertheless, given the limited scope, it has been decided to utilize only the secondary data and also to limit the study only to 'what' questions.

1.5 Organization of the Study

This study is divided into five chapters. Chapter one provides the introduction to the study. It outlines a brief introduction to the study, research objectives, and research questions and the methodology of the study. Chapter two is composed of the conceptual framework of the study as well as the context and the background of the Amnesty International campaign. Chapter three consists of the findings and analysis of information for the first research question. This chapter

discusses the frames used in the campaign slogan and the justifications that can be drawn to support the frames from the human rights discourse. Chapter four contains the findings and analysis of information for the second research question. It discusses the reactions of the Shell Company and how obligations of human rights have been imposed by the campaign slogan upon the Shell Company and the Nigerian government. Chapter five is the final chapter which concludes the study.

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CHAPTER II
CONCEPTUAL FRAMEWORK AND BACKGROUND OF THE STUDY

2.1 Framing Methods

Chong and Druckman (2007, p.100) recognize two kinds of frames as 'frames in communication or media frames' and 'frames in thought or individual frames'. Chong and Druckman (2007) define a 'frame in communication' as "words, images and phrases and presentation styles that a speaker uses when relaying information about an issue or an event to an audience". A 'Frame in thought' according to Chong and Druckman (2007, p. 101) denotes to "an individual cognitive understanding of a given situation". Some scholars (Snow et.al 1986, p.464) perceive the concept of 'frames in thought' as 'schemata'. Thus to avoid ambiguity, only the 'frames in communication or media frames' which is the focus of the study, will be recognized as 'frames'.

According to Lakoff (2010, p. 74) frames are communicated through language and visual imagery. "The right language is absolutely necessary for communicating the real crisis" (Lakoff 2010, p.74). Effective communicators utilize words artfully to evoke the desired frames. In order to communicate certain facts one must select the words prudently to activate the correct 'schemata' or the 'frames in thought'. However if the receiver's 'schemata' or the 'frame in thought' is incompatible with the frame in the message, correct words should be utilized to build the required 'frame in communication' (Lakoff 2010, p.73). Gorp (2007, p. 66) elaborates the notion of communication of frames through framing methods which is also referred as framing devices. Gorp (2007, p.66) accentuates that "some framing devices are so powerful that a single reference to them suffices to activate a schema." It is the framing devices that Gorp (2007) sees as important in communicating a particular message.

de Vreese (2005, p. 54) highlights five such framing methods or devices as 'metaphors', 'exemplars', 'catch phrases', 'depictions' and 'visual images', which are originally identified by Gamson and Modiglani (1989). Tankard, (2001, p. 101) provides a more comprehensive list of news framing devices or methods compared to de Vreese (2005). Tankard (2001, p. 101) shows eleven framing methods such as 'headlines', 'sub- headlines', 'photos', 'photo captions', 'leads', 'source selection', 'quote selection', 'pull quotes', 'logo', 'statistics' and charts' and 'concluding statements and paragraphs'.

The 'slogans' which are the focus of the current study are identified in the above framing methods by Gamson and Modiglani (1989) as 'catch phrases' and by Tankard, (2001) as 'headlines'. Thus this study will use the word 'catch phrases' to suggest 'slogans' and both these words will be used alternatively to imply the same concept.

2.2 Catch phrases in human rights related campaigns

In transnational advocacy, effective catch phrases as a framing device not only make the dormant human rights issues public through propaganda but they also name and shame the human rights violators at the international front. According to Woods (2003, p. 59) catch phrases or slogans are rhetorical devices with 'transformative' capabilities that "inspire, mobilize and direct" human rights advocacy in achieving its goals or "attaining the ultimate end". Explicating the strategy of black civil rights movement in Africa, Woods (2003, p.59) states that effective slogans such as "we shall overcome" "touch and move the human spirit".

The campaigns, which aim at highlighting human rights issues to gather public support, utilize catch phrases or slogans to condense complex ideas into a parameter that is more appropriate for the media (Matthews 2011, p.45). Matthews (2011) sees slogans as capable of reframing the medical and health related campaigns in human rights rhetoric, attracting media attention and mobilizing the public opinion. Catch phrases bear the key messaging of a campaign that captures the attention of the public. Heyzer (1998, p. 23) with regards to the UNIFEM's multifaceted approach to

violence against women illustrates how the regional campaign slogan "A life free from violence: it's our right" sent a powerful message of ending violence against women in the Latin America and the Caribbean.

The campaigns which intend in naming and shaming the human rights violators use catch phrases with the precise objective of humiliating the culprits. In most circumstances, the targets of naming and shaming campaigns are states with poor human rights records. However, naming and shaming campaigns can also target the non-state actors or individuals who violate or abuse human rights.

For example, the anti-racism campaign launched by the Australian government in August 2012 is an initiative of the national anti-racism strategy of the Australian Human Right's Commission. This campaign has sent out a powerful shaming message to all the racists in Australia through its main campaign slogan "Racism. It stops with me" (Australian Human Right's Commission 2012). Slogans directed at states which violate human rights such as "Help end violence against Kachin in Burma" not only name and shame the actions of the perpetrator but also call for the support of the other individuals in condemning the actions of the state in question(US campaign for Burma 2012).

2.3 Background of the Campaign

2.3.1 Context of the Amnesty International campaign

Although the exploitation of oil by Shell Company in the Niger Delta has a long history (Feyter 2005, p.167), the limelight of the current campaign by Amnesty International is directed only at two main incidents of oil spills. These spills have occurred in August and December 2008, impacting the human rights of the Ogoni community who live in the Niger Delta (Amnesty International 2011, p. 5). According to Amnesty report 'Another Bodo Oil Spill' (2012, p.4) the oil spills, which have occurred in 2008, have only been stopped after 72 days from the day of the initial incident. This has contributed to the release of approximately 103,000 to 311,000 barrels of oil to the Bodo area affecting the lives of the Ogoni community (Amnesty International 2011). The consequences of the 2008 oil spill have been aggravated by

the prevalence of prior oil spills, waste dumping and gas flaring[1]. Such prior incidents have considerably deteriorated the soil, water and the air quality in the Niger Delta (Amnesty International 2009, p.9). However, Ogoni community has been thriving on fisheries, subsistence agriculture and associated processing industries for their daily living before the 2008 oil spills (Amnesty International 2009).

As the Amnesty report 'True Tragedy'(2011) points out, the 2008 oil spills have restricted the local communities from accessing water and led them to purchase water from those who have boreholes or water tanks. The flames of the crude oil have burnt the mangroves, agricultural lands and the property of the Ogoni community such as canoes. The contamination of lands and the water bodies have resulted in fewer fish, vegetable, yam, cassava and cocoa production. This in turn has given rise to price hikes of food and food shortages in the market. The entire situation has compelled the Ogoni community to seek other means of livelihoods abandoning fishing and agriculture in order to ensure their daily survival. The oil spills have also created serious long term health consequences of cancer and neurotoxicity[2] and short term health impacts such as skin redness, itchy eyes, coughing and throat irritation (Amnesty International 2011, pp.11-14).

In the above context, the campaign exposes violations of rights under three main categories such as the 'right to work', 'adequate standard of living' and 'health' which are highlighted in Articles 6, 11 and 12 of the International Covenant on Economic Social and Cultural Rights (ICESCR) [3]. Loss of livelihoods is depicted as a violation of 'right to work' in Article 6 of the Covenant. The deprivation of access to food and water is represented as a violation of 'adequate standard of living'

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[1] Gas flaring is the lingering of the particles of oil when it is burnt as waste (Amnesty International 2009, p. 18).

[2] Neurotoxicity damages the brain and the nerves system due to toxic chemicals (Tilson 1995, p.2).

[3] Article 6(1) " State parties of the present Covenant recognize the right to work which include the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts and will take appropriate steps to safeguard this right".

Article 11(1) "The state parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food…..".

Article 11(2) "The state parties to the present Covenant recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international cooperation , the measures, including specific programmes, which are needed :….".

Article 12(1) "The state parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standards of physical and mental health".

Article 12(2) (b) "the improvement of all aspects of environmental and industrial hygiene" (International Covenant on Economic Social and Cultural Rights 1966).

highlighted in Article 11 of the Covenant. The adverse impacts that have befallen on health have been portrayed as a violation of 'right to health and healthy environment' signified in Article 12 of Covenant.

2.3.2 Overview of the Amnesty International campaign

Amnesty International is a movement of nearly three million people which advocates for the protection and promotion of the human rights (Amnesty International 1992, p.9). It mobilizes individuals to protect and promote human rights nationally and transnationally through its campaigning initiatives (Amnesty International 1992). Framing issues in a human rights perspective is one of the significant strategies through which Amnesty International mobilizes its individuals. Framing is a key device in defining social problems and the respective correlated moral actions. Hallahan (1999, p. 218) illustrates the significance of framing in advocacy in the instances where the media attempts to communicate with the members of "the sympathetic groups" by implying the anticipated ways of action from the public.

Catch phrases or slogans are one of the key framing methods used in the campaigns of Amnesty International. The overall Shell campaign by Amnesty International comprises of a number of miniature campaigns conducted every year. However the current study focuses only on the "Shell: Own Up, Pay Up, Clean Up" campaign conducted in April 2012. As stated in the introduction, the study is on the catch phrase "Shell: Own Up, Pay Up, and Clean Up". The campaign is implemented during April 21to 29 because it is the 'global week of action' against the Shell Company.

'Corporate Accountability' is one of the three main issues of 'Demand Dignity' campaign conducted by Amnesty International. Apart from 'Corporate Accountability', Amnesty International also works on 'maternal health' and 'slums' which draw attention to the advancement of economic, social and cultural rights of the people with particular focus on the poor (Amnesty International 2009, p.5). The current campaign by Amnesty International is one of the campaigns implemented under the theme of 'Corporate Accountability'. Other than the present campaign, Amnesty International runs a range of campaigns such as the case of 'Bauxite mine

and refinery in India' and 'forced evictions and police brutality around the Porgera gold mine in Papua New Guinea' , in the realm of 'Corporate Accountability' (Amnesty International 2012).

The current campaign emphasizes on three broad objectives. The first two objectives are directed at the obligations of the Shell Company while the third one is concentrated on the responsibility of the Nigerian government (Amnesty International 2012, p.1). First, as pointed out by the United Nations Environmental Programme (UNEP) Report, the campaign calls the Shell Company to contribute one billion dollars as an initial payment for the 'independent cleanup fund for the Ogoniland' as an acknowledgement of Shell's responsibility in protecting the human rights. Second, the campaign demands to examine the operating practices of Shell Company in the Niger Delta with regards to clean up process, oil spill investigations, community consultation and compensation of payments. Third, the campaign calls on the government of Nigeria to enforce laws to regulate oil operations impartially and to recognize the gender sensitive issues related to the operations and lead the establishment of the independent cleanup fund (Amnesty International 2012).

2.4 Responses to the Amnesty International campaign

The members, supporters and the activists of Amnesty International around the world responded to the campaign both in public and also through the social media campaigning. The main response had been signing the petition which summarized the campaign demands that had been directed at the Chief Executive Officer (CEO) of the Shell Company both electronically and in public. The petition with 309,190 signatures which had come nearly from 20 countries across 5 continents had been handed over to the Shell headquarters in Netherlands on 4 July 2012. A copy of the petition had been handed over to the Shell Nigeria office on 25 July this year by the Amnesty International Nigerian partner NGO, Centre for Environment Human Rights and Development (Ruijven and Rajendran 2012). A joint statement[4] signed by

[4] The joint statement demanded Shell Company to clean the oil spills, apologize to effected communities and pay compensation, overhaul Shell's operational practices, publicize the accurate information of oil pollution etc. (Amnesty International 2012).

Amnesty International and seven other civil society organizations[5] had also been handed over to the Shell headquarters in Netherlands (Ruijven and Rajendran 2012).

Apart from signing the petition, the supporters of the campaign had engaged in public demonstrations and other activities in their respective countries. For example Amnesty International Nigerian office had held a protest march on the final day of the global week of activism to Port Harcourt, the location of the Shell Petroleum Development Company (SPDC) in Nigeria (Kamara 2012). The protesters including the affected communities and five other civil society organizations had marched with placards and posters while singing and dancing to the Nigerian music despite being cordoned by the Nigerian police (Kamara 2012). Reactions of the international supporters had comprised of demonstrations in Spain and Thailand and display of 'clean up' stunts in petrol stations in Czech Republic, Germany, and Sweden and in Tokyo and in other countries in solidarity with Nigeria (Westby 2012).

The public campaign of Amnesty International had been supported by the electronic campaigning during the global week of activism by the following ways. The profile pictures of the face book of the members and stalwarts of Amnesty International had been changed to Shell: "Own Up, Pay Up, and Clean Up" image which is a giant calm covered in oil to symbolize the destruction caused by the oil pollution. The tweet "join @ amnesty's call to @ shell Oil: Own up, pay up, # cleanup the Niger Delta owl.li/aq5NH" had also been re-tweeted to publicize the activities of the global week of action (Amnesty International 2012).

2.5 The counter-actions of the Shell Company to the Amnesty International Campaign

The Shell Company however had not manifested compliance to the pressure generated by the campaign. It had not accepted the petition in public or allowed to take any photographs of the handing over of the petition which had been a contradictory reaction to the public acceptance of the petition of Amnesty

[5] Center for Environment Human Rights and Development (CEHRD), Oil Affected Communities, Environmental Rights Action (Friends of Earth), Ogoni Solidarity Forum (OSF), Social Action, People's Advancement Centre (PAC), Ogoni Land Owners Association (Amnesty International 2012).

International in 2009. Since the CEO of the Shell Company had not been willing to accept the petition in person, the petition had been handed over to the Director of Shell Netherlands and to two other representatives, to be handed over to the CEO. It had been informed to Amnesty International that the non-acceptance of the petition in public had been due to the severe criticism of the Shell Company by Amnesty International (Ruijven and Rajendran 2012).

At the handing over of the petition at Shell headquarters in Netherlands, Shell Company had responded to Amnesty International by underlining the challenges Shell currently faces in addressing the violations of human rights. Shell had implied that it is difficult to address the violations of rights in the Niger Delta when the Nigerian government had not taken interest in addressing the violations. Shell had accused the Nigerian government to be inconsiderate because the government had disregarded the recommendations in the United Nations Environmental Assessment Report of August 2011. The United Nations Environmental Assessment Report is considered the 'catalyst' in addressing the issues of the Ogoniland (Ruijven and Rajendran 2012). However, Shell had signified that after a proper plan had been put in place; it is willing to pay a justifiable amount without committing for the one billion dollars, as the campaign petition demands (Ruijven and Rajendran 2012).

At the Shell Annual General Meeting, the CEO of the company had refused to answer the question whether Shell would pay the one billion dollars required to start the cleanup fund (Ruijven and Rajendran 2012). Instead, the company had directed its reprimand at illegal refineries, sabotage, and the Nigerian government and at its own contractors (Amnesty International Thailand personal communication 10 May 2012).

Shell Company had retaliated when Amnesty International had published an article during the campaign week pointing out that Shell Company had not revealed the extent of 2008 oil spills accurately. According to the publication of Amnesty International (2012), Shell's official investigation report had claimed that only 1640 barrels of oil had been spilled in total to the Bodo area. However the assessments carried out by Accufacts (a US based assessment company) had revealed that nearly 103,000 to 311, 000 barrels of oil had been spilled into the Bodo area (Amnesty International 2012). When Amnesty International had publicized the misrepresentation

of data and informed Shell Company about the accurate figures of the oil spills, Shell had accused Amnesty International as "misleading the public" in one of its reply correspondences[6] to Amnesty International (Amnesty International 2012). Hence it is quite apparent from the above mentioned facts that the Shell Company had not liked the mass effort taken by the Amnesty International campaign to publicize its negative deeds.

[6] "As you are aware this spill is currently the subject of litigation and the volume and extent of the spill will be the subject of independent expert testimony in the litigation. You will understand, therefore, why it is not appropriate for us to comment on this estimate at this time. Having heard the independent expert testimony the court will decide what the volume of the spill was. We suggest you might be better to wait for the authoritative view on the volume of the spill and publish at that stage rather than risk misleading the public with Accufacts estimate. We trust that, in the interests of transparency, that if you do decide to publish Accufacts estimate you will also publish this response in full" (Amnesty International 2012).

CHAPTER III
CATCH PHRASE "SHELL: OWN UP, PAY UP, CLEAN UP" IN A BROADER CAMPAIGN CONTEXT

3.1 "Own Up" Frame of the Slogan

The "Own Up" frame demands the 'ownership' both from the Shell Company and the Nigerian government for two different reasons. Nevertheless, the ownership frame of the government is not directly conveyed as of the ownership frame of the Shell Company. While making Shell Company the main duty bearer of violating the rights, the slogan indirectly calls on the Nigerian government to 'own' the accountability to enforce law within Nigeria. This frame calls the Nigerian government to hold the Shell Company accountable for the destruction it has caused (Amnesty International 2012).

The "Own Up" frame makes the Shell Company directly accountable for the 'environmental pollution' it has created in the Niger Delta. It justifies the accountability of Shell by highlighting two main facts. One of the arguments presented is that Shell as the main operator in the Niger Delta has an obligation to acknowledge the ownership of the destruction it has caused (Amnesty International 2012, p.1). Secondly, Shell has continuously failed to address the environmental pollution for many years, driving the issue to become a grave concern (Amnesty International 2012, p.1). United Nations Environmental Programme (UNEP) has estimated that it will take at least 25 years to clean up the polluted area (Amnesty International 2012).

The background of this frame is supported by the 'profit driven' perspective of the Shell Company. It has been reported that Shell has profited 7.2 billion dollars from the operations in the Niger Delta from July to September 2010 (Amnesty International 2012, p. 1). The underlying message depicted by this fact is that if Shell is capable of reaping the profit from the Niger Delta, it should also be capable of cleaning the 'mess' it has made (Amnesty International 2012).

Shell Company's counter argument for the "Own Up" frame is relegating the 2008 spills as 'sabotage' which makes the company less responsible for the ownership. Nonetheless this argument of Shell is rejected by the Amnesty campaign signifying the Shell's flawed investigation process which covers up the real cause of "equipment failure" (Amnesty International 2011). The campaign argues that "Shell has an obligation to clean up the oil spills no matter what the cause is" (Amnesty International 2012, p.3).

Shell Company has evaded the responsibility of acknowledging the pollution it has caused in 2008 oil spills for many reasons. One of the main reasons for the evasion of the responsibility is lack of effective enforcement mechanism which could compel Shell in accepting its wrong doings. Ineffective national judicial system within Nigeria has also strongly influenced the evasive behavior of the Shell Company. Apart from the government of Nigeria, there is no other authority that could make Shell admit its mistakes under the national legal system of the country since the claims of the affected community are disregarded and not taken seriously by Shell.

The above context of Nigeria makes the "Own Up" messaging of the campaign more authentic. Thus it is clear that unless named and shamed and compelled to accept the destruction of the environmental pollution through stigmatization, there is no possibility of Shell voluntarily admitting its mistakes. The campaign signifies the corporate negligence and the incompatibility of the "projected" and the "real" images of the Shell Company and shames it for not admitting the responsibility for its actions. The "Own Up" slogan calls on transnational pressure on the Shell Company to "own the reality of its impacts" (Amnesty International 2012).

3.2 "Pay Up" Frame of the Slogan

The campaign commands the Shell Company to 'pay' both to the cleanup fund and to the communities. This frame demands that Shell commit to an actual payment of one billion dollars as an initial payment of the Independent cleanup fund for the Ogoniland as prescribed by the United Nations Environmental Program. In August 2011, UNEP issued a report of the environmental consequences of the oil

pollution in the Niger Delta which is considered as the "catalyst" in addressing the pollution in the area. This report highlighted the requirement of an initial approximate capital of one billion dollars to establish a dedicated fund for the cleanup of the Ogoniland (Amnesty International 2012).

The justification put forth in the "Pay Up" frame is the "polluter pays principle" (Amnesty International 2012, p.1). This principle is supported by the same two arguments manifested in the "Own Up" frame, which are 'the liability of Shell as the main operator in the Niger Delta' and 'the repeated failure of the company to address the pollution effectively for many years'. The campaign shows the social and the moral duty of the Shell Company in respecting human rights by paying one billion dollars under the 'polluter pays' justifications (Amnesty International 2012 p. 2). The "Pay Up" standpoint also signifies the payment of compensation for the victims of the affected communities although the campaign does not provide further specification as of a particular amount or how it should be paid (Amnesty International 2012).

The 'responsibility' of the 'pay up' perspective is two-dimensional. The campaign through this slogan calls on the Shell Company to pay one billion dollars as the retributory fee of pollution, making it 'accountable' for 'literally paying' the amount for the fund that is to be established by the government of Nigeria. Government of Nigeria is held 'responsible' 'for establishing' an independently managed cleanup fund for the Ogoniland as recommended by the UNEP Report (Amnesty International 2012).

The campaign illustrates the legal accountability of the Nigerian government in protecting its citizens from human rights infringements by the third parties as highlighted in the International Covenant on Economic Social and Cultural Rights. The slogan calls on the government to hold Shell responsible for the payment under the human rights law as a party to the International Covenant on Economic Social and Cultural Rights (ICESCR). This is elaborated in detail in the final section of this chapter. Apart from being a state party to the ICESCR, the Nigerian government also has a responsibility to maintain the rule of law within the country by managing oil operations, through its existing laws (Amnesty International 2012).

3.3 "Clean Up" Frame of the Slogan

The "Clean Up" frame advocates for a comprehensive cleanup operation to be undertaken by the Shell Company in the Niger Delta as recommend by the UNEP Report that encompasses overhauling Shell's operational practices, oil spill investigations, and community consultations in the process of cleaning the environment. This frame implies two main aspects which are 'restoration of the environment' and 'rehabilitation of the social aspects of the pollution'. The rehabilitation of the social aspects of pollution includes taking effective measures to address the health problems and loss of livelihoods owing to the oil pollution in the Niger Delta (Amnesty International 2012, p. 2).

The campaign calls on for the establishment of a cleanup fund that is implied in the "Pay Up" frame as a prerequisite for cleaning up the environment. As the campaign envisages, the operation of cleaning the Niger Delta should be over seen by an independent body such as the United Nations Environmental Programme (Amnesty International 2012). Amnesty Campaign has emphasized on an 'independent body' in managing the cleanup process because of a particular reason. The federal government of Nigeria is often seen as a partner of Shell Company in oil operations. Consequently it is conspicuous that there could be mismanagement in the process of cleaning the environment if only the government is involved. Mismanagement in the cleanup process can further aggravate the pollution in the Niger Delta. Thus the campaign under this frame demands the independent oversight of a body such as the UNEP to alleviate the mismanagement that can occur because of the sole management of the Nigerian government (Amnesty International 2009, p. 42).

Under the "Clean Up" frame, the demands made in the campaign are justified by expounding the fact that the destruction caused by the pollution would have been far less damaging firstly if the Shell Company had addressed the spillage on time and secondly if the Nigerian government had enforced the law within its domestic jurisdiction to hold the Shell Company accountable for its wrong doings (Amnesty International 2012).

The comprehensive cleanup operation that is deemed by the campaign, suggests several different aspects including the measures to be taken to address the 'actual' and the 'potential' pollution that can occur due to future operations. The

cleanup dimension focuses both on the aspects of 'prevention and cure' of the environmental pollution. For this end, the campaign stresses on the monitoring of the ongoing pollution and its impact on the local communities and the progress of the cleanup operations (Amnesty International 2012, p.2).

The campaign under the 'environmental restoration' dimension calls on for a scientific assessment to be undertaken for all the oil producing areas in the Niger Delta, which is similar to the one conducted by the UNEP. This assessment is demanded to be funded by the oil companies which will undertake the operations in each area (Amnesty International 2012, p.2).

The 'social rehabilitation' dimension signifies the inclusion of participatory measures where the effected communities can take part in the development of the cleanup plans. This aspect also stresses on the significance of following the gender sensitive processes during implementation. The campaign highlights the importance of undertaking effective measures to address gender differentiated impacts of oil pollution on the livelihoods to avoid the negative impacts on women. Apart from addressing the above areas, the campaign requests the social aspects of providing access to health, food and water to be considered (Amnesty International 2012, p. 2).

3.4 Naming and Shaming the Shell Company through the Frames of the Slogan

3.4.1 Naming

'Naming' enables one to identify and transform the oblivious into obvious by assigning particular "characteristics, motives, values and behavior" (Bhatia 2005, p. 8). Human rights campaigns 'name' certain states or non-state actors to reveal their identity and the characteristics. According to Gasper and Apthorpe (1996, p. 6) investigation of 'naming' can provide non obvious insights into a phenomenon.

The Amnesty International campaign propagates the behavior, character and the motives of the Shell Company and its identity in a nihilistic light. The frames projected through the campaign slogan names the Shell Company as an 'abuser of

human rights'[1], 'irresponsible company'[2] and a 'hypocrite'[3]. These 'names' paint a very strong, unquestionable negative picture of the Shell Company in the reader's mind. The frames also portray Shell as a rich exploitative company which is more concerned about profit rather than protecting human rights. The campaign explicitly refers to Shell as the 'oil giant' (Amnesty International 2012) which more precisely connotes to the power it holds as a corporation. By propagating the "image" projected by Shell and its "reality" in addressing the oil pollution through the campaign materials, Amnesty International names and also shames the hypocrisy of the Shell Company.

3.4.2 Shaming

Shaming expresses disapproval with the intension of evoking remorse in the person who is being shamed (McAlinden 2005, p. 375). According to Lebovic and Voeten (2006, p. 868) shaming is a common and effective campaign strategy of bringing the powerful into compliance. Shaming targets at tainting the built- up image of an actor through stigmatization (Lebovic and Voeten 2006). Evidence shows that corporations are sensitive to public criticism (Winston 2002, p. 81). 'Naming' and 'Shaming' are supplementary concepts in human rights campaigning where 'naming' facilitates for the 'shaming' of the perpetrators through stigmatization.

With regards to oil companies such as Shell which possesses a keenly maintained image, 'shaming' becomes a challenge to the corporate dignity and the brand name. Exploiting this fact, the frames of the slogan shame[4] the Shell Company by naming it as an 'abuser' of human rights, 'irresponsible company' and a 'hypocrite'. The campaign through shaming disapproves the actions of the Shell. It

[1] "Amnesty International research show that the company's operations are leading to human rights abuses in the region" (Amnesty International 2011).

[2] "Shell portrays itself as a "responsible" company which is doing its best in the Niger Delta. However Amnesty International's and CEHRD's research and the UNEP reports tell a different story.
IMAGE: Shell responds immediately" to reports of oil spills.
REALITY: UNEP found there is always a delay in dealing with oil spills. The two spills at Bodo in 2008 both gushed oil for weeks after they were reported-and clean –up has still not taken place" (Amnesty International 2011).

[3] "IMAGE: when Shell clean up oil spills it "restores the land to its original state.
REALITY: UNEP noted that Shell's cleanup of oil contamination frequently did not even comply with the company's own standards. The UN found that in several cases the difference between sites described as "cleaned up" and "awaiting cleanup" was not always obvious" (Amnesty International 2011).

[4] " Help us publicly shame Shell into cleaning up their mess" (Amnesty International 2012).

pressurizes the Shell Company into thinking of it as a public actor in the human rights system in the hope of bringing Shell into compliance. The campaign through its "myth busting" information illustrated in "what lies beneath Shell" [5] and "Shell's empty promises"[6] shames the corporate image of the company. The 'image' and 'reality' elucidated in "myth busting information" convey the message of irony of the Shell's corporate image (Amnesty International 2012).

3.5. Supporting the Frames from National Law and International Human Rights Law

3.5.1 Justifications for the duty of the Shell Company in respecting human rights

The frames of the campaign slogan compel the Shell Company to be morally and ethically accountable for respecting human rights. Shell as a private corporation undoubtedly has a minimal responsibility not to create any unwarranted harm or to "do no harm" (Ruggie 2008, p.9) to the communities in which it operates. Human rights are based on the premise that just as all human beings are entitled for rights, they also have duties not to infringe the rights of others. The rational for Shell in doing business in the Niger Delta is also similar to the above human rights connotation. As much as Shell as a multinational corporation has a right in continuing business, it also has an obligation not to infringe the rights of the communities.

The topic of business and human rights has long been in discussion at the United Nations and several developments have taken place in this regard in the recent past. These include the appointment of a special representative on the human rights and transnational corporations and other business enterprises by the UN Secretary

[5] This section which is a part of the information of the petition highlights the image and the reality of the Shell Company (Amnesty International 2012).

[6] The information in this section is quite similar to the IMAGE and REALITY depicted in the petition except the additional information of

"IMAGE: Shell provides clean water and food to effected communities where needed,

REALITY: Shell did deliver food relief to the Bodo community-8 months after the disaster. It included 50 bags of rice, 50 bags of beans, 50 bags of garri, 50 cartons of sugar, 50 cartons of dry peak milk, 50 cartons of tea, 50 cartons of tomatoes and 50 tins of groundnut oil. Bodo has a population of approximately 69,000 people" (Amnesty International 2012).

General in 2005, subsequent 'Protect, Respect, Remedy Framework'[7] introduced by the special representative John Ruggie in 2008, and the 2011 'Guiding Principles' which illustrate the operationalizing of the framework (Office of the High Commissioner for Human Rights 2012). All these development support the frames used in the Amnesty International campaign slogan by reiterating the duty of the Shell Company to respect human rights and address the violations it has caused.

The 2011 Guiding Principles of the Ruggie Framework provide an international standard for preventing and addressing the risk of adverse impacts of corporate negligence. These guidelines show how companies should respect human rights in order to annihilate the negative consequences. The Guiding Principles also detail out a set of bench marks to assess the businesses on their performance in respecting human rights and the role of businesses in complying with all the applicable laws (UN Office of the High Commissioner for Human Rights 2011, p.1).

The 2008 'Protect, Respect, Remedy Framework' is considered as "soft law" which binds the corporations in respecting human rights. This framework under 'corporate responsibility to respect', divulges the responsibility of the corporates in respecting human rights by acting in "due diligence" and not infringing the human rights. The concept of 'due diligence' underlines the steps companies should take to 'become aware of', 'prevent' and 'address' the negative impacts on human rights (Ruggie 2008, p.17). The Ruggie Report further highlights that "business can affect virtually all internationally recognized rights and corporates should respect human rights because it's the basic expectation society has of business" (Ruggie 2008, pp.4 and 5).

These facts ensure the frames projected by the Amnesty International campaign slogan. The 2008 Ruggie Framework and the 2011 Guiding Principles emphasize the responsibility of the Shell Company in respecting human rights in the process of continuing its business. Hence as the Ruggie Framework points out, Shell Company has a responsibility to act in due diligence and 'address' the human rights violations it has caused in the Niger Delta as the slogan demands.

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[7] This framework is made up of three main principles of 'the state duty to protect against human rights abuses of third parties including business' , 'corporate duty to respect human rights' and 'the need of the victims to access remediation'(Office of the High Commissioner for Human Rights 2012).

It is important to consider the significance of the legal nature of corporate 'duty to respect'. As the 2008 report notes, in considering the legal rights of the transnational corporations , a parent company and its subsidiaries are recognized as "distinct legal entities" (Ruggie 2008, p. 5). This indicates that the parent company is not accountable for the violations committed by its subsidiary. This fact suggests that the Royal Dutch Shell as the parent company is not legally accountable for the wrongdoings of the Nigerian Shell Petroleum Development Company (SPDC), "unless the subsidiary is under such close operational control by the parent that it can be seen as its mere agent" (Ruggie 2008, p. 5). Nevertheless the Amnesty campaign appeal against both Royal Dutch Shell and the Nigerian Shell Petroleum Development Company. When corporations are recognized as legal entities, they are legally accountable for their wrong doings. Although the Ruggie framework is part of the evolving law concerning business and human rights that lacks enforceability corporations such as Shell is morally and ethically bound to respect the human rights as a social expectation.

Furthermore, corporations are also bound by the laws of the countries in which they operate. For example, the 'Environmental Guidelines and Standards for Petroleum Industry' by the Department of Petroleum Resources in Nigeria clearly points out that all oil spills including the ones which have occurred for vandalism and sabotage should be cleaned up by the oil company and the affected area should be returned to the prior environmental status. This law also notes that the cleaning up should commence within 24 hours of the initial incident (Amnesty International 2009, p. 66). Consequently the above instance confirms that the Shell Company has a legal obligation to respect the Nigerian regulations and address the situation in Niger Delta.

The Ruggie Framework and the subsequent Guiding Principles clearly support the gist of the "Own Up, Pay Up and Clean Up" frames depicted through the slogan. These international law validates the frames of the slogan and elucidates that companies are bound by the laws of the countries in which they operate where they are expected to obey the laws even they are not enforced (Ruggie 2008, pp. 6 and 8). Hence it can be pointed out that the Nigerian Shell Petroleum Development Company has a social, moral and legal responsibility to obey the national law in which it

operates. Moreover Shell Company has an obligation to address the violations it has caused as reiterated in the UN Guiding Principles. The eleventh UN Guiding Principle justifies the frames of the slogan by underlining that companies "should address adverse human rights impacts with which they are involved" (UN Office of the High Commissioner for Human Rights 2012, p. 9).

3.5.2 Justifications for the duty of the Nigerian government in protecting human rights

The Nigerian government is a state party to the International Covenant on Economic Social and Cultural Rights (ICESCR). Thus Nigeria as a state party to this Covenant has a duty to 'protect' the rights of its citizens from the violations of non-state actors.

The 1997 Maastricht Guidelines 6[8] on violations of economic, social and cultural rights which is an extended form of the 1987 Limburg Principles clearly show that the state's duty to 'protect' entails preventive actions against the 'violations of rights by third parties'. The 'Hand Book for the National Human Rights Institutions' (United Nations 2005, p. 17) explicates that the responsibility to 'protect' encompasses the duty of the state to preclude violations that can be caused by 'other individuals' or 'non-state' actors.

The Articles[9] 6, 11and 12 of the International Covenant on Economic Social and Cultural Rights clearly recognize the rights of the people to 'work',

[8] Guideline 6: "Like civil and political rights, economic, social and cultural rights impose three different types of obligations on states: the obligation to respect, protect and fulfill. Failure to perform any one of these three obligations constitutes a violation of such rights. The obligation to respect requires States to refrain from interfering with the enjoyment of economic, social and cultural rights. Thus, the right to housing is violated if the state engages in arbitrary forced evictions. The obligation to protect requires states to prevent violations of such rights by third parties. Thus the failure to ensure that private employers comply with basic labour standards may amount to a violation of the right to work or the right to just and favourable conditions of work. The obligation to fulfill requires States to take appropriate legislative, administrative, budgetary, judicial and other measures towards the full realization of such rights. Thus, the failure of States to provide essential primary health care to those in need may amount to a violation" (Maastricht Guidelines 1997).

[9] Article 6(1) " State parties of the present Covenant recognize the right to work which include the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts and will take appropriate steps to safeguard this right".
Article 11(1) "The state parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food….."

'adequate standards of living' and 'health'. However, only the succeeding General Comments expound the duty of the state to 'protect' the citizens from third party infringements elaborately. For instance Paragraph 22 of the General Comment 18 on 'the right to work' (United Nations Committee on Economic Social and Cultural Rights 2006) points out that in ensuring the right to work, state parties have a duty to take " … measures that prevent third parties from interfering with the enjoyment of right to work". In the General Comment 14 on 'The right to highest attainable standard of health' the obligation to protect the right to health, and healthy environment comprises of taking "measures that prevent third parties from interfering with Article 12 guarantees" (United Nations Committee on Economic Social and Cultural Rights 2000, Para 33). According to the above stipulations, Nigeria as state party to the Covenant is responsible to protect its communities from the third parties such as the Shell Company.

Apart from the ICESCR and its General Comments, the 2008 'Protect, Respect, Remedy Framework' and the 2011 UN Guiding Principles of its implementation also reiterate the state's duty to protect the citizens from third party infringements through adaption of appropriate policies, regulation and adjudication (Office of the High Commissioner for Human Rights 2012). The first Guiding foundational Principle expresses that the state should protect its citizens from third parties by taking "appropriate steps to prevent, investigate, and redress such abuse through effective policies, legislation, regulations and adjudication". This principle clearly states that the failure to protect its citizens through the above mentioned methods constitutes a violation of "international human rights law" (UN Office of the High Commissioner for Human Rights 2011, p. 3).

The International Covenant on Economic Social and Cultural Rights, its General Comments, the 2008 Ruggie Framework, and the Guiding Principles justify the responsibility of the Nigerian government that is projected in the "Own Up" and

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Article 11(2) "The state parties to the present Covenant recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international cooperation , the measures, including specific programmes, which are needed :…."
Article 12(1) "The state parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standards of physical and mental health".
Article 12(2) (b) "the improvement of all aspects of environmental and industrial hygiene" (International Covenant on Economic Social and Cultural Rights 1966).

the "Pay Up" frames of the campaign slogan. Nigeria has a duty to enforce its national law and encourage multinational corporations such as Shell to respect human rights as implied in the "Own Up" frame. The Nigerian government also has an obligation to take lead in the establishment of the cleanup fund for the Ogoniland as projected in the "Pay Up" frame. Consequently the above international human rights law supports the arguments made through the frames of the Amnesty International campaign slogan by highlighting the responsibility of the Nigerian government to protect human rights of the Ogoni community.

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CHAPTER IV
IMPOSITION OF HUMAN RIGHTS OBLIGATIONS THROUGH THE SLOGAN

4.1 Epilogue: Reaction of Shell Company to the Frames Projected in the Amnesty International Campaign Slogan

Shell Company has reacted in a very dubious way to the frames portrayed in the Amnesty International campaign slogan. It has been evasive over encountering the violation of rights in the Niger Delta. Shell's evasive behavior has been confirmed by its actions of non-acceptance of the Amnesty global petition in public and reluctance to provide a direct answer to the contribution of one billion dollars to the cleanup fund at its Annual General Meeting in May 2012 (Ruijven and Rajendran 2012). By avoiding and delaying to address the situation, Shell has expected that with time the issue would die down while the company managed the problem from the 'public relations' dimension. Paradoxically, the counteractions of the Shell Company to the frames projected in the Amnesty campaign have reemphasized its duty to address the violations of rights in the Niger Delta.

Shell Company had presented one picture in their official Shell Nigeria website while it has reacted contrastingly for the demands of the "Own Up" frame of the Amnesty International campaign. Shell Company has refused to take the ownership for its wrong doings by justifying the 2008 oil spill as a deliberate consequence of vandalism by the community. The company has neglected to address the situation highlighting the spill as 'sabotage'. 'Sabotage' has been particularly stated as a reason for the 2008 oil spills by the Shell Company in one of the correspondences to the Ogoni community and to Amnesty International in 2011 in a previous campaign launched by Amnesty International against the Shell Company (Amnesty International 2011, p. 39). Although Shell has refused to take the ownership for its wrongdoings initially, it has released a contrasting statement at the Shell Nigerian website during the Amnesty campaign week in April 2012. The article

released in the Shell Nigeria website "Bodo Oil Spills and Litigation" (Shell Nigeria 2012) has presented the Shell Company as a responsible corporation that has "immediately acknowledged the responsibility of the spills" instead of evading them.

The release of this article by Shell Company during the Amnesty campaign week in April 2012 shows how Shell has been made to retaliate for the accusing frames projected through the Amnesty campaign slogan. It is evident that Shell has released the article "Bodo Oil Spills and Litigation" (Shell Nigeria 2012) as a reaction to the Amnesty International campaign since silence from the part of the Shell Company would further deteriorate its corporate image. Consequently without analyzing the underlying impacts of acknowledging the ownership, the company had released this article as a way of managing its public relations. However this reaction of Shell Company has reemphasized the demands made in the campaign slogan and made Shell Company a duty bearer in taking further actions to pay compensation and clean the Niger Delta.

Similar to the outcome of the "Own Up" frame, the reaction to the "Pay Up" frame has also made Shell Company a duty bearer in paying compensation for the community and for the cleanup fund. Shell Company has shown commitment to pay compensation for the communities whose rights have been violated in the Shell Nigeria website. The article "Bodo Oil Spills and Litigation" (Shell Nigeria 2012) states the following.

"We have always accepted we should compensate, in accordance with Nigerian law, those affected by our spills. But, after the spills, we were approached by various lawyers each claiming to represent the community, and this seriously delayed the process".

The delay in compensation has been justified by the Shell Company highlighting the representation of different lawyers from the part of the Ogoni community. Despite the commitment manifested in the Shell Nigeria website, Shell Company has refused to provide an answer to Amnesty International regarding the one billion dollar campaign demand or about the process of community compensation at its Annual General Meeting, held in May 2012 (Ruijven and Rajendran 2012). The above statement released in the Shell Nigeria website could be a cover up message by Shell to save its own corporate image against the framing of the Amnesty

International. However the act of publication of the statement in the Shell Nigeria website has compelled the Shell Company to be responsible for its actions.

With regards to the "Clean Up" frame of the Amnesty campaign slogan, Shell Company has reacted affirmatively. This is evident from Shell's Nigeria country website. The website (Shell Nigeria 2012) signifies that the company has already taken actions to clean the Niger Delta. The article "Bodo Oil Spills and Litigation" (Shell Nigeria 2012) points out that the Shell Company has "set about cleaning the impacted areas as it is our policy and as set out in the Nigerian law". Even though the Shell Company has reacted to the "Clean Up" frame of the Amnesty International campaign by depicting the cleanup process as something that the company has already started to do, no action has yet been taken place to clean the Niger Delta. Nonetheless the statement has reassured the responsibility of the Shell Company in addressing the violation of rights in the Niger Delta.

One of the notable reactions of the Shell Company towards the frames projected thorough the Amnesty International campaign is its 'counter-framing attack'. This has been done through Shell's social media and marketing strategies to strengthen its corporate image.

Shell defines itself as a "global group of energy and petrochemical companies that help to meet the world's demands for energy in an environmentally and socially responsible ways" (Shell Nigeria 2012).

With regards to oil spills, the Shell Nigeria website (2012) displays the efforts the company has taken to prevent the oil spills.

"Spills of oil and oil products can harm the environment and put our employees and neighboring communities at risk. Over the years, we have reduced the amount spilled at our operations for reasons we can control like corrosion and operational failure" (Shell Nigeria 2012).

Even though the statements in the Shell Nigeria website have been presented as a public relations cover-up by the Shell Company, it has reaffirmed the duty of the Company in addressing the violations.

Another reaction of the Shell Company to the frames projected in the slogan is releasing a message in the Shell global Facebook page, stating the

complexity of working in the Niger Delta during the Amnesty International global week of action against the Shell Company.

The message highlighted Shell as keen in addressing the situation. It stated that Shell is "concerned with the issue" and "like you" (addressing to the Facebook followers) "remain committed to protect the environment", "clean up oil spills from our facilities regardless of the cause" (Amnesty International 2012).

However, the inability to address the pollution on time has been justified on the grounds of "complexities" in the working environment in the Niger Delta. In the latter part of the message, Shell Company has accentuated on the "complex issues" and the "complexity in working" as the barriers in respecting human rights in the Niger Delta (Amnesty International 2012).

The above statements prove that the Shell Company does not directly deny any of the "Own Up, Pay Up, and Clean Up" frames of the Amnesty International campaign because such reaction would certainly impact its corporate image. Consequently the company is attempting to evade its responsibility by depicting one image for its own supports and another image to the supporters of Amnesty International.

From the above discussed facts it is apparent that Shell Company has addressed the violations of human rights more through a public relations dimension. However the reactions of Shell Company has also manifested that it has been pressurized by the frames of the slogan. Nevertheless framing of Shell as a duty bearer of human rights by the Amnesty campaign slogan has unequivocally forced the company to react defensively in the public eye. These defensive reactions ironically have reaffirmed the duty of the Shell Company in respecting human rights.

4.2 Positioning of Shell Company by the Slogan

With the changing trends in globalization, the economic power and the role of the multinational cooperation's (MNCs) have changed dramatically over the past few years. Many multinational corporations possess more economic power and authority over natural resources than governments. Shell Company's influence over economic, political and cultural spheres of the impoverished communities in the

Nigeria Delta is just a case in point. Given the magnitude and power of multinational corporations, they are often being regarded as forms of private governments (Macaulay 1986, p. 445). One of the main problems associated with this change of economic power and influence of MNCs over other social aspects of life, is the lack of accountability of these organizations for the negative impacts brought about through their operations.

Shell as a multinational corporation that is operating in Nigeria wields enormous power and influence over the Nigerian government and the communities. This influence of economic power has enabled Shell Company to almost behave as a government with independent authority. The federal government authorities of the Niger Delta depend on Shell Company for oil spill investigations due to lack of resources and capital. Ironically, the federal government of Nigeria, which should independently manage the operations of the Shell Company, is indirectly being managed by Shell.

Hence the campaign slogan places the Shell Company over the Nigerian government by directly addressing it. By placing Shell Company above the government, the slogan also indicates the importance of managing the power of the Company by transnational pressure in the instances where it infringes human rights. Just like human rights law protects the rights of the citizens from autocratic states, the slogan emphasizes the significance of protecting human rights from corporations such as Shell by making them appear as actors liable for respecting human rights. The slogan shows Shell Company as a profit concerned actor who should be made accountable for its wrong doings by naming and shaming publicly. The campaign slogan directly calls the Shell Company to be responsible for the pollution it has caused by taking ownership of its wrong doings, paying compensation to the community and one billion dollars to the cleanup fund and cleaning the environment.

The corporate public image of Shell Company is the key to its profitmaking. ‘Naming’ and ‘Shaming’ pose a threat to the corporate image of Shell. Firstly, it devaluates Shell’s identity as a ‘responsible company’ in the eyes of the consumer. Secondly, it reduces the number of consumers through propaganda. When Shell loses its legitimacy in the public eye, the company is forced into encountering a number of challenges from retaining qualified employees, to losing its profits. The

reactions of the Shell Company discussed in the above section confirm the importance of Shell's corporate image and the attempts it has made to cleanse the corporate image from the insulting frames of the Amnesty campaign slogan.

Consequently the slogan positions Shell as a 'moral and an ethical duty' bearer in 'respecting' and protecting human rights and necessitates changing its behavior. One of the reasons for the slogan to call the Shell Company instead of the Nigerian government is the expectation of altering the behavior of Shell Company by mobilizing the Nigerian government and the transnational consumers around the world. In some cases altering the behavior of private corporations can be plausible by threatening to degenerate their image, legitimacy and finally their profits. The campaign slogan thus endeavors to make this behavior change in Shell Company by positioning it a as a duty bearer of its own vice deeds.

Although International law makes states the fundamental duty bearers in 'protecting' the human rights, the framing of the slogan signifies the accountability of the Shell Company over the Nigerian government. This framing of Shell as the main duty bearer of the violation of rights is further acknowledged by the human rights discourse of Ruggie Framework which manifests that "corporate responsibility to respect exists independently of state's duties" (Ruggie 2008, p.17). By drawing the accountability aspect of corporations from human rights discourses in the background information (Amnesty International 2009) of the campaign, the slogan frames the argument of the duty bearing status of the Shell Company. The imposition of duties through the "Own Up, Pay Up and Clean Up" frames persuades the receiver of the message to believe that Shell Company should not get away for what it has done.

4.3 Mobilization of the Viewer by the Slogan

The campaign slogan mobilizes the supporters of the campaign to condemn the actions of the Shell Company by revealing "What lies beneath Shell" (Amnesty International 2012). The slogan directly targets the image of Shell as a responsible company and makes the viewer question the legitimacy of the company's projected image.

The slogan educates the consumers around the world about the human rights negligence of the Shell Company. The main objective of the slogan is to pressurize Shell Company through transnational support. It is expected that this transnational pressure would direct the Shell Company to take actions to address violations of rights in the Niger Delta.

The slogan mobilizes its viewers to create a situation where the Shell Company cannot get away scot-free for the violations it has caused. The particular purpose of planning the campaign during April is attracting the attention of Shell AGM in May through the voices of the global supporters who condemn the actions of the Shell Company.

The campaign does not in any way encourage boycotting the products of Shell Company either through the campaign material or by its framing. The slogan deftly leaves that decision to be individually made by the consumer. However, there is a high possibility of boycotting Shell products as an indirect effect of the campaign due to the disappointment of the consumers. There is not enough evidence to show that the consumers boycotted Shell due to this particular campaign which occurred during a week in this year. Nevertheless naming and shaming the Shell Company through the slogan is adequate to influence the decisions of the consumers in this campaign without sending a direct message of boycotting.

The viewer is mobilized and persuaded to view both Shell Company and the Nigerian government as duty bearers for violating the rights of the Ogoni community. However the projection of the Shell Company as a duty bearer for the violation of the rights is prominent to the portrayal of the Nigerian government's obligations.

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CHAPTER V
CONCLUSION

The study unravels interesting findings to the questions posed at the beginning of the research. As for the first research question, the study reveals that the campaign slogan uses a number of frames to promote the human rights of the Ogoni community. The slogan frames the Shell Company as the prime violator or the abuser of human rights. The slogan frames the Nigerian government also as a passive violator of human rights due to its non-involvement in protecting the rights of its citizens from the actions of the Shell Company. The frames of the campaign slogan promote the human rights of the Ogoni community by appealing and lobbying to the Shell Company and to the Nigerian government to address the violation of the rights in the Niger Delta.

The "Own Up" dimension frames both the Shell Company and the Nigerian government as duty bearers in respecting and protecting the human rights. The "Own Up" frame demands the responsibility of the Shell Company to acknowledge the violations of rights it has committed. It also commands the Nigerian government to take measures to make Shell Company observe the Nigerian law and address the violations of rights in the Niger Delta.

The "Pay Up" perspective too makes both these actors, Shell Company and the Nigerian government accountable. Shell Company is made obligatory for the payment of one billion dollars and compensation for the effected communities. The Nigerian government is made accountable for the establishment of the cleanup fund to which Shell Company should donate one billion dollars.

The "Clean Up" standpoint unlike the above frames makes only the Shell Company liable for the comprehensive cleanup operation. All these frames "Own Up, Pay Up and Clean Up" make the Shell Company and the Nigerian government accountable for respecting and protecting the human rights, by making them appear as

duty bearers although the framing of the Nigerian government as a duty bearer is very much dormant to the framing of the Shell Company as a duty bearer.

The findings for the second research question disclose that the reactions of the Shell Company to the "Own Up, Pay Up, Clean Up" frames ironically re-emphasize the duty of Shell to address the violations of rights of the Ogoni community although this is not the expected outcome of the Shell Company. The Shell Company has reacted with a defensive counter framing approach to the insulting frames brought about through the Amnesty campaign slogan. Shell has utilized its social media to cleanse the tainting of its image. In the process of cleansing the corporate image of the Shell Company, it has shown commitment and dedication in addressing the demands projected thorough the Amnesty campaign slogan. This hypocritical reassurance and the reactions of the Shell Company have ironically convinced the public that Shell Company is a duty bearer for its wrong doings.

Adequate information cannot be found to determine the success of the overall campaign carried out by Amnesty International during its one week campaigning in 2012. Yet the reactions of the public signify the expansion of awareness on the situation in the Niger Delta and mobilization of transnational support to pressurize the Shell Company to take actions for its wrong doings. The campaign petition was signed approximately by 309,190 supporters around the world. Demonstrations were held in many countries including Spain, Thailand, Germany and Tokyo to advocate for the rights of the Ogoni community. The pressure brought about through transnational advocacy has led the Shell Company to react ambivalently and project a hypocritical picture pledging to respect human rights. Consequently in conclusion we can determine that the campaign has been able to stir sufficient attention of the Shell Company and the Nigerian government to address the situation. The study illustrates that effective framing that is brought about through the slogans becomes important in curtailing the unwarranted impacts of corporations such as Shell. It also discloses that human rights can be voiced and demanded to be addressed through effective slogans that are articulated through framing in the context of transnational advocacy.

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The study makes significant contributions for the research area of transnational advocacy by highlighting the importance of framing as a tool of

capturing the attention of the public in promoting human rights in the context of transnational advocacy. It indicates that human rights can be voiced and demanded to be promoted through frames projected in campaign slogans in the context of transnational advocacy by naming and shaming the perpetrators. The research also demonstrates that frames presented through the campaign slogans play a significant role in shaping the opinion of the public. The study emphasizes that transnational advocacy can be used as an arena for educating the public on the violations of rights that is occurring in the world. The study also divulges that future research on the frames used in campaign slogans to promote human rights in the milieu of transnational advocacy, can provide interesting insights to maximize the objectives of human rights campaigning, and also contribute to the scholarly literature on transnational advocacy.

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