



Global network expresses its solidarity with communities affected by Chevron-Texaco in Ecuador, and denounces the persistence of corporate impunity in light of a recent decision by the Court of Justice of Brazil.

Press Release

Geneva, 5th December 2017

A network of more than 200 movements, social organizations and unions is in solidarity with the Union of People Affected by Chevron-Texaco (UDAPT) in Ecuador and denounces the political and juridical structures which allow transnational corporations to evade responsibility for their crimes.

The Global Campaign to Reclaim Peoples Sovereignty, Dismantle Corporate Power and Stop Impunity ("Global Campaign"), expresses its deepest concern about the decision of the Superior Court of Justice of Brazil, which has rejected indigenous peasant communities' request to enforce a 2011 judgement by the courts of Ecuador, which required Chevron to pay \$9.5 billion to affected communities to pay for remediation of damage caused by the company to the Ecuadorian rain forest. In effect, the Brazilian Court has ruled that the assets of Chevron Brazil have no relationship with Chevron Corporation, which no longer holds assets in Ecuador, and has therefore rejected plaintiff's' efforts to seize assets of Chevron Brazil to cover these damages.

The representatives of the Union of People Affected by Chevron-Texaco (UDAPT), which is a member of the Global Campaign, will lodge an appeal because they believe that the Court has committed a legal error. According to Pablo Fajardo, the lawyer representing more than 30,000 people affected by the company in Ecuador, "the decision of the Brazilian court constitutes a denial of justice for the affected communities." It should be noted that the Civil Court 61 of Argentina made a similar decision, resolving in October of this year not to enforce the judgment of the Ecuadorian courts. In that country also, the plaintiffs will file an appeal.

Conversely, in the same month, the Court of Appeals of Ontario, Canada reversed a previous approval of a request by Chevron for the Ecuadorian communities to pay 1 million dollars to cover the company's potential legal costs. The decision of the Ontario Court was based on the fact that the request did not correspond to the interests of justice and could be interpreted as a tactic to halt the litigation in that jurisdiction. The judges recognized that this case is of public interest. Members of the UDAPT will attend a new hearing before the Supreme Court of Canada, in April 2018. It is hoped that Canadian judges will lift the corporate veil to show that the capital of Chevron Canada belong to the parent, Chevron Corporation.

Another member of the Global Campaign, Monica Vargas of the Transnational Institute (TNI), comments "the decision of the Brazilian Court and the ruling in Argentina demonstrate the depth of the architecture that ensures the impunity of transnational corporations, leading to systematic violations of human rights at the global level". To counteract this impunity, the Global Campaign for a Binding Treaty at the international level, which will oblige transnational corporations to respect human rights, a process currently under preparation in an Intergovernmental Working Group of the Human Rights Council of the United Nations. The proposed Binding Treaty prepared by the Global Campaign precisely provides essential elements that would allow to avoid the impunity enjoyed by Chevron in this case.

More information:

- UDAPT Press Release: <http://texacotoxico.net/chevron-hides-again-behind-the-corporate-veil-to-escape-from-its-responsability-concerning-human-roghts-violations-the-sentence-of-the-brasilan-court-demonstrates-the-structure-of-impunity-that-prottec/>

- Global Campaign proposal of Binding Treaty: https://www.stopcorporateimpunity.org/wp-content/uploads/2017/10/Treaty_draft-EN1.pdf

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