Chevron’s Impunity in Ecuador:  
Urgent Call from International Civil Society  
Press Release

December 11, 2020

In solidarity with tens of thousands of people affected by the biggest environmental disaster that has hit the Ecuadorian Amazon, more than 150 organizations, networks, movements, and unions — representing more than 285 million people internationally — are asking the government of Ecuador to appeal the arbitration award issued by the Dutch justice system in favor of the oil transnational Chevron.

The award issued on August 30, 2018 orders the Ecuadorian State to: annul the ruling in the Lago Agrio case, despite the fact that it has been ratified by all Ecuadorian judicial instances, including the Constitutional Court; and prevent the affected communities from going to other countries to seek implementation of the ruling and reparations for the damages caused by Chevron-Texaco. Furthermore, it demands Ecuador compensate the oil company for having “affected its image” and for the judicial costs associated with 27 years of legal proceedings.

If the government of Ecuador does not appeal this ruling, it will be enforced, despite the fact that it violates Ecuador’s own Constitution and should be inapplicable. And if the Dutch justice system persists in validating the ruling, it will be complicit in an international private arbitration system that systematically favors transnational corporations, denying justice to those affected by corporate crimes.

This case has generated great concern at the international level. If Ecuador does not appeal, it will set a precedent that will allow transnational corporations to violate human rights and the collective rights of Indigenous Peoples, and destroy the environment, with impunity.

The “Global Campaign to Reclaim Peoples Sovereignty, Dismantle Corporate Power and Stop Impunity” joins the call of near 230 social, indigenous, peasant organizations, networks and unions from different countries, representing more than 285 million people, for Ecuador to appeal the judgment in the Dutch justice system before December 16, 2020. The Ecuadorian government must keep the door open to justice for the indigenous and peasant communities of the Amazon, after decades of struggle for the common good.

Link to the letter: https://www.stopcorporateimpunity.org/chevron-case-open-letter-to-the-president-of-ecuador/  
(see also in Annex)

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For Europe and other countries : lfajardovera @ gmail.com  
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President of Ecuador

Cc. Mr. Iñigo Salvador  
Attorney General of Ecuador

Cc. Mr. Luis Gallegos  
Minister of Foreign Affairs of Ecuador

In defence of the rights of indigenous and peasant communities against Chevron: Open letter to the President of Ecuador

11th December 2020

On December 16, 2020, the deadline expires for the Ecuadorian State to reject or accept a Dutch court ruling, related to the action for annulment of the arbitration award issued by an international private panel based in the Netherlands in favour of Chevron, which orders Ecuador to: rescind the ruling ratified by all judicial instances in Ecuador, and prevent the indigenous and peasant communities affected by Chevron’s oil operations from executing the Ecuadorian ruling in order to seek reparations for damages in the Ecuadorian Amazon.

If the Ecuadorian State accepts the Dutch ruling, it should compensate Chevron with a multi-million dollar sum, for the "damages caused to its image and the costs of the years of lawsuits against it." It should also intercede before other courts to prevent the plaintiffs of Chevron Texaco from filing lawsuits against it in other countries. If the attorney general of Ecuador does not appeal this decision, the arbitration award in favour of Chevron will be upheld, despite the fact that in May 2019, more than 260 organizations and social networks representing more than 280 million members on five continents had denounced this decision as illegal and unconstitutional. This verdict would terminate the hope for justice of those affected, and consolidate the ISDS system (Investor-state dispute settlement), undermining the rule of law.

Twenty-seven years ago, the communities living in the provinces of Orellana and Sucumbios, initiated a process against the oil transnational Texaco (now Chevron) for the cultural, health and environmental damages that the transnational caused while operating in Ecuador. After a long trial, the Ecuadorian justice system ruled in favour of the inhabitants of the Amazon, represented by the Union of People Affected by Texaco’s Oil Operations (UDAPT). Chevron has resorted to all kinds of manoeuvres inside and outside Ecuador to evade its responsibility. The most recent was the appeal for annulment that Ecuador brought before the Dutch justice system, in which the action for annulment was denied, in the first instance. Ecuador has the right to appeal this decision and even go to the Dutch Supreme Court. UDAPT submitted a letter to the prosecutor general to this effect. However, the government of Ecuador has not yet shown any intention of appealing.

If the government of Ecuador submits to the orders of the arbitration court and the Dutch justice, its decision would have serious and dire consequences. In the first place, it would legally annihilate the struggle of more than 30,000 Amazonian inhabitants to obtain justice. The much-discussed tribunal is asking that future claims against the oil company be presented "on an individual basis" which presents insurmountable
obstacles for individual affected people. We can be sure that this decision would mean those affected by Chevron will never obtain justice. In the second place, failing to appeal the Dutch ruling implies that the government of Ecuador is ceding its sovereignty as a state, in favour of a private international justice system, which would flagrantly violate the Constitution of Ecuador.

If the Dutch court's sentence is not appealed before December 16, the Ecuadorian government will be serving to protect Texaco's interests, reinforcing the impunity of corporations, and facilitating increased pressure and threats on the plaintiffs, which has already been a problem for years. As for the Dutch Court, it must be stressed that if it does not change its attitude, it will become complicit in the violation of the human rights of indigenous peoples, and in the strengthening of corporate impunity through an arbitration award implying that another state should violate its own constitution. This decision is unenforceable in Ecuador.

President Lenin Moreno, there is still time for your government to reject the Dutch court's ruling and file an appeal. At the end of this year, you and your government have in your hands the possibility to bring justice to the affected indigenous and peasant communities of Texaco, and to protect the sovereignty of Ecuador. We urge you to appeal the Dutch ruling which would set a dangerous precedent for corporate impunity worldwide, and not to close the door to the hope of Ecuadorian communities in their long battle for justice and reparation.

Endorsements

**International Level**
- Asociación Internacional de Juristas Demócratas
- FIAN International
- FOEI - Friends of the Earth International
- Global Atlas of Environmental conflicts
- EJATLAS
- Global Campaign to Reclaim Peoples Sovereignty, Dismantle Corporate Power and Stop Impunity.
- Global Forest Coalition
- ICID - Iniciativas de Cooperación Internacional para el Desarrollo
- FIDH - International Federation for Human Rights
- La Via Campesina
- Oilwatch International
- TNI – Transnational Institute

**Regional level**
- AAJ Associação Americana de Juristas
- Amigos de la Tierra América Latina y el Caribe - ATALC.
- Asociación Americana de Juristas
- CADTM - AYNA - Comité para la Abolición de las Deudas Ilegítimas - Abya Yala/Nuestra América

**Argentina**
- Acción por la diversidad
- Amigos de la Tierra Argentina
- Asociación Argentina de Abogados ambientalistas

**COICA** - Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica
**CSA** - Confederación Sindical de trabajadoras/es de las Américas
**OCMAL** - Conflictos Mineros de América Latina
**ECCHR** - European Center for Constitutional and Human Rights
**European Alliance for the Self-Determination of Indigenous Peoples.**
**ECVC** - European Coordination La Via Campesina
**EEB** - European Environmental Bureau
**PSI Americas** - Internacional de Servicios Públicos Américas
**North American Indian Center of Boston**
**Oilwatch Africa**
**TMP-E** – Transnational Migrant Platform-Europe
**Platform of Filipino Migrant Organisations in Europe**
Asociación Civil Árbol de Pie, Bariloche, Río Negro, República Argentina
ATTAC Argentina
Aukan Asamblea Ambiental del Sur
CADTM
CTA Autónoma - Central de Trabajadores de la Argentina Autónoma- sección Capital Federal
CLATE Confederación Latinoamericana y del Caribe de trabajadores estatales
Confederación Mapuce de Neuquén
Corriente Nacional Emancipación Sur
Diálogo 2000
EJES - Enlace Por la Justicia Económica y Socioambiental
FARN - Fundación Ambiente y Recursos Naturales
Fundación ECOSUR, Ecología, Cultura y Educación desde los Pueblos del Sur.
Fundación La Hendija de Prana, Unidad de Vinculación Ecologista
Madres de Plaza de Mayo-Línea Fundadora
Marabunta, Corriente Social y Política Movimiento popular / Revolucionario
Multisectorial Antiextractivista
Multisectorial contra la Hidrofractura en Neuquén
OPSUR- Observatorio Petrolero Sur
Secretaría de Derechos Humanos de la Central de Trabajadores de la Argentina Autónoma - Seccional Capital Federal
SERPAJ - Servicio Paz y Justicia

Austria
Attac Austria

Belgium
11.11.11- Umbrella organization of the Flemish North South Movement
Comité pour le respect des Droits Humains « Daniel GILLARD »

Bolivia
Terra Justa

Brasil
Amigos da Terra Brasil
HOMA - Centro de Derechos Humanos y Empresas

PACS - Instituto Políticas Alternativas para o Cono Sul
MAB - Movimento dos Atingidos por Barragens

Canada
Blue Planet Project
Centre international de solidarité ouvrière (CISO)
Christian Peacemaker Teams
Comité pour les Droits Humains en Amérique Latine (CDHAL)
Council of Canadians
Inter Pares
KAIROS: Canadian Ecumenical Justice Initiatives
MiningWatch
Nobel Women’s Initiative
United Steelworkers

Colombia
Corporación Ecológica y Cultural Penca de Sábila
Red Vida

Costa Rica
COECOCEIBA Amigos de la Tierra

Czech Republic
Ekumenická akademie

Democratic Republic of Congo
COPACOPRP/ASBL

Ecuador
Acción Ecológica
CASCOMI Centro de derechos humanos y Monte
Centro de Derechos Económicos y Sociales - C D E S
Centro de Documentación en Derechos Humanos "Segundo Montes Mozo S.J."
(CSMM)
Comisión Ecuménica de derechos humanos
Comité Permanente por la Defensa de los Derechos Humanos, CDH
CONAIE Confederación de Nacionalidades Indígenas del Ecuador
CONFENAIE Confederación de Nacionalidades Indígenas de la Amazonía Ecuatoriana
Coordinadora Ecuatoriana de Organizaciones para la Defensa de la
Naturaleza y el Medio Ambiente
CEDENMA.
Ecuador Decide Mejor Sin TLC
FIAN
Fundación Pachamama

El Salvador
Unión Palestina de América Latina
CESTA Amigos de la Tierra El Salvador

Finland
Emmaus Aurinkotehdas ry
New Wind Association

France
ActionAid France
Aitec (Association internationale de techniciens, experts et chercheurs)
Alota Tuvalu
Amis de la Terre
Attac France
CADTM France
CCFD-Terre Solidaire
Comité Pauvreté et Politique
Confédération paysanne
Coordination EAU Ile de France
FAL France Amérique latine
France Libertés - Fondation Danielle Mitterrand
Frantz Fanon Foundation
Mouvement contre le racisme et pour l’amitié des peuples MRAP
Notre Affaire à Tous
Réseau Roosevelt-IDF
Sherpa
Union syndicale Solidaires

Germany
Attac Germany
Center for Research and Documentation Chile-Latin America-
FDCL (Berlin)
GegenStromung – CounterCurrent
Netzwerk Gerechter Welthandel
Oficina Ecuménica por la Paz y la Justicia e.V.
The Hunger Project-Germany
Werkstatt Ökonomie

Haití
Tét Kole ti peyizian Ayisyen

India
Anti-Jindal & Anti-POSCO Movement, Odisha

Ireland
LASC- Latin America Solidarity Centre

Italy
CAMILLIAN DISASTER SERVICE INTERNATIONAL (CADIS)
CDCA - Centro di Documentazione sui Conflitti Ambientali
CEFA Comitato Europeo per la Formazione e l’Agricoltura Onlus
Engim Internazionale
FOCSIV - Federation Christian Italian NGOs
Fundazione Don Carlo Gnocchi,
Opere Sociali Marelliane OdV
COMI - Cooperazione per il mondo in via di sviluppo

Luxemburg
ASTM - Action Solidarité Tiers Monde

México
Usuarios del Agua de Saltillo AUAS, A.C.

Mozambique
Amizade

Nigeria
Eco-Defenders Network
ERA Friends of Earth Nigeria
HOMEF
Oilwatch
Peace Point Development Foundation, Nigeria

The Netherlands
Bothends
Code Rood
Den Haag Fossielvrij
Friends of the Earth Netherlands
Klimaatmoeders
MetaMeta
Reclame Fossielvrij
Store Vrouw
The Water Channel

Palestine
Al-Amal Association for Childhood and Development
Association for Farmers’ Rights and for the Preservation of the environment
Association Jadayel / Palestinian Center for Culture, Arts and creativity
Jadayel Foundation
N’lin Society for Development and Community Work
Palestine Youth Forum
BNC - Palestinian BDS National Committee
Palestinian Farmers Society-Tulkarem
Palestinian Farmers Union
Stop The Wall - Palestinian grassroots Anti-Apartheid Wall Campaign
Palestinian Land Defense Coalition
Palestinian New Federation of Trade Unions (New Unions)
Popular Council to Protect the Jordan Valley
Women Center for Social Development

Peru
Derechos humanos sin fronteras
Derechos Humanos Sin Fronteras es del Perú, región del Cusco.
CooperAcción

Philippines
WomenHealth

Poland
IGO - Institute of global Responsibility

Portugal
Plataforma por um Comercio Internacional Justo

Spanish State
Asamblea Provincai Marchas de dignidad
Asociación ELITE Taxis
Asociació Perifèries del món
Attac España
CADTM España
Campanya Catalunya No als Tractats de Comerç i Inversió
CCOO - Confederación Sindical de Comisiones Obreras
Coordinadora de ONGD del Principado de Asturias
Ecologistes en Acción
Ecologistes en Acció de Catalunya
Enginyeria Sense Fronteres

Entrepueblos/Entrepobles/Entrepobos/Herriarte
Esquerra Unida Alicant
Federació d’Ecologistes en Acció Catalunya
Federación Provincial de la Confederación General del Trabajo en Alicante,
Fundación APY
Medicus mundi España
Novact - Instituto Internacional para la Acción Noviolenta
Observatorio de Multinacionales en América Latina - Paz con Dignidad
Penedès Amb Palestina
SETEM catalunya
SOC-SAT Andalucía
SOLdePaz.Pachakuti
Tradener - Transición Democrática del Modelo Energético

Slovenia
Focuns Association for Sustainable Development

Sweden
Afrikagrupperna
End Ecocide Sweden
Friends of Earth Sweden
FIAN Sweden
SAL - Solidaridad Suecia -América Latina

Switzerland
Centrale sanitaire suisse romande
Centre Europe-Tiers Monde CETIM
Collectif Breakfree
Coordination Climat Justice Sociale (Genève)
Grands parents pour climat
Incomindios
Klima-Allianz
MultiWatch
Society for Threatened Peoples
Solifonds

UK
Coal Action Network
Corporate responsability coalition
CORE
Eco Nexus
Global Justice Now
Global Justice Now
Global Witness
IndiaMatters
London Mining Network
People & Planet
The Corner House
War on Want

**United States**
Amazon Watch
Corporate Accountability
Crude Accountability
Earth Action
Grassroots Global Justice Alliance
Media Alliance
Michigan Welfare Rights Organization
National Welfare Rights Union
No Business With Genocide
Oxfam
RAN Rainforest Action Network
Resist the Pipeline
Sustainable Obtainable Solutions
Task Force on the Americas

**Uruguay**
Gender and Trade Network
REDES-Amigos de la Tierra Uruguay