

Open Letter to Ecuador on the Chevron Case

(21 May Global #AntiChevron Day)

Mr. Lenín Boltaire Moreno Garcés

President of the Republic of Ecuador

21 May 2019

Regarding the Chevron-Exxon Case in Ecuador

Mr. President,

We who belong to many international civil society social organizations and networks who are committed to human rights and social, economic and environmental justice are writing to you because we are deeply concerned about the Chevron-Exxon case in the Ecuadorian Amazon region.

The case is irrefutable proof of the way the system whose purpose is to ensure the impunity of transnational companies all over the world works. After 25 years of trials, and although a judgement requiring Chevron (formerly known as Exxon) to pay US\$9,500 million to repair environmental damage, [has been ratified at every level of the Ecuadorian judicial system, it has never been enforced](#). To avoid complying with it, Chevron withdrew all of its assets from Ecuador. Because they did that, the men and women affected by the environmental disaster had to have recourse in foreign courts (in Argentina, Brazil and Canada) to have the judgement recognised and enforced, but so far, they have had no success. Meanwhile, tens of thousands of those affected continue suffering serious health effects. The cancer rate in the contaminated area reaches up to 8-10 times the national average. Chevron left 880 pits full of crude oil which are still there, the rivers are still full of hydrocarbon sediment and polluted by the crude oil spills in Amazonia, which is one of the most biodiversity rich regions in the world. The damage has been left unrepaired for more than 40 years. Corporate crime goes on.

Even worse, in 2009 Chevron sued the Ecuadorian state at the International Court in The Hague using the Investor State Dispute Settlement Mechanism (ISDS). The oil company also sought economic compensation and asked that the arbitration panel interfere in the Ecuadorian justice system itself. In August 2018, the arbitration panel ruled in favour of Chevron and sentenced Ecuador to pay a still unknown sum to the transnational company. Moreover, it ordered the Ecuadorian government to prevent the judgement of the Ecuadorian courts from being enforced. These provisions are unconstitutional and inapplicable in Ecuador. If the government were to execute the arbitration ruling, it would be violating its own constitution, wiping out the rights of the 30,000 people affected by Chevron and openly favouring that company's interests. This decision would therefore establish a dangerous precedent at the international level which could encourage similar arbitration tribunals, putting them above domestic law courts and thus undermine the legal bases of the rule of law.

Mr. President, today your government is heading the process that is working towards drafting a binding [UN treaty on transnational corporations with respect to human rights](#) which could put an end to corporate impunity. These negotiations are taking place in the Human Rights Commission. It is worth pointing out that this treaty is a response to a demand from millions of people who belong to hundreds of social and environmental organizations, unions and affected communities around the world.

Today, [popular mobilization against the ISDS is growing](#). Proof of this is that recently more than half a million signatures from European Union citizens were delivered to the Vice President of the European Commission asking that the European Union reject the ISDS and support the UN Binding Treaty and other regulations to force transnational companies to respect human rights.

Mr. President, we remind you that the aforementioned case is not an exception. [Chevron has been denounced for negative social and environmental impacts in other countries](#), for example, their fracking projects in Argentina have seriously affected Mapuche indigenous communities. What is more, oil companies like Chevron bear a large part of the [responsibility for climate change](#) which today has caused hundreds of thousands of victims, driven thousands from their homes - climate refugees - and is also thrusting the whole planet into the worst environmental crisis ever seen.

Mr. President, we tell you that we cannot understand the direction that your government is taking currently with regard to this case. **We remind you that it is the duty of every state to protect its population's human rights from the violations of third parties. We demand that you not give in to the pressure from the United States or from Chevron but put the rights of Ecuadorian men and women first as the Constitution of Ecuador demands.** We ask you not to intervene in the court case between the affected communities (who are grouped together as UDAPT - Union of those Affected by Chevron-Texaco's Oil Operations) and the transnational company but that, on the contrary you give your support and protection to the indigenous and rural communities, respecting, protecting and guaranteeing their rights over the interests of international companies.

We continue to monitor any developments in Chevron's case in Ecuador. **Moreover, today, 21 May, which is World Anti Chevron Day, we are holding huge mobilizations in various regions and countries to denounce corporate impunity and to express our solidarity with the affected communities.**

More information: <http://texacotoxico.net/>

Endorsements:

International

La Via Campesina
World March of Women
FIAN International
GFC (Global Forest Coalition)
IADL (International Association of Democratic Lawyers)
SumOfUs
Blue Planet Project
DAWN (Development Alternatives with Women for a New Era)
AWID (Association for Women's Rights in Development)
The Seattle-To-Brussels Network

Regional

Asociación Americana de Juristas (Américas)
ATALC (Amigos de la Tierra América Latina y el Caribe)
CADTM - Ayna (Comité para la Abolición de las Deudas Ilegítimas - Abya Yala/Nuestra América)
CSA (Confederación Sindical de Trabajadoras/es de las América)
ECVC (European Coordination Via Campesina)
EEB (European Environmental Bureau)
Friends of the Earth Europe
Focus on the Global South (Asia)
Internacional de Servicios Públicos - ISP Américas
Plataforma América Latina mejor sin TLC
Southern Africa Campaign to Dismantle Corporate Power
WoMin (African Women Unite Against Destructive Resource Extraction)

National

Argentina

Amigos de la Tierra Argentina
Asamblea Argentina mejor sin TLC
Asamblea Maipucina por el Agua
Asamblea Permanente del Comahue por el Agua Allen
Asamblea Socio Ambiental de Cipolletti (Río Negro)
Asamblea Socioambiental de Fiske Menuco (Roca, Río Negro)
Asociación Civil Árbol de Pie, Bariloche, Río Negro

ATTAC- Argentina

Conciencia Solidaria al Cuidado del Medio Ambiente, el Equilibrio Ecológico y los Derechos Humanos
Asociación Civil
Confederación Mapuce de Neuquén
Corriente Nacional Emancipación Sur
CTA Autónoma (Central de Trabajadores de la Argentina Autónoma)

CTEP (Confederación de Trabajadores de la Economía Popular)
Diálogo 2000
EL PARANÁ NO SE TOCA
Equifem equipo de investigación feminista
FORO ECOLOGISTA DE PARANÁ
Fundación ECOSUR, Ecología, Cultura y Educación desde los Pueblos del Sur
Huerquen, comunicación en colectivo
Madres de Plaza de Mayo-Línea Fundadora
Mesa Eldorado por el NO a las Represas
MNCI (Movimiento Nacional Campesino Indígena-Vía Campesina
MOCASE (Movimiento Campesino de Santiago del Estero - Vía Campesina)
Mujeres Siglo XXI
Multisectorial Antiextractivista
Museo del Hambre
OPSur (Observatorio Petrolero Sur)
Radio El Club de la Pluma-Córdoba
SERPAJ (Servicio Paz y Justicia, Organismo de Derechos Humanos)
UnTER (Unión de Trabajadores de la Educación de Río Negro)
Vista Alegre libre de fracking y en defensa de la vida

Austria

ATTAC Austria
NeSoVe / Network Social Responsibility

Belgium

CATAPA vzw
CEO (Corporate Europe Observatory)
CNAPD (Coordination Nationale d'Action pour la Paix et la Démocratie)
Comité pour le respect des Droits Humains "Daniel GILLARD"
Commission Justice et Paix
Entraide et Fraternité
GRESEA (Groupe de recherche pour une stratégie économique alternative)
WSM-Solidaridad Mundial

Bolivia

CEDIB
Fundación Solón
Plataforma Boliviana frente al Cambio Climático
The Democracy Center

Brasil

Amigos da Terra Brasil
Articulação Internacional dos Atingidos e Atingidas pela Vale
FASE (Federação de Órgãos para Assistência Social e Educacional)
Gender and Trade Network
HOMA Institute
Instituto EQUIT - Gênero, Economia e Cidadania Global
Instituto Observatório Social
Justiça Global
MAB (Movimento dos Atingidos por Barragens)
PACS (Instituto Políticas Alternativas para o Cone Sul)
Terra de Direitos
Vigência!

Canada

CDHAL (Comité pour les Droits Humains en Amérique Latine)
CISO (Centre international de solidarité ouvrière)
Common Frontiers
Council of Canadians
Friends of the Earth Canada
Rastafari Cultural Collective

Chile

Plataforma Chile Mejor sin TLC

Colombia

Censat Agua Viva - Amigos de la Tierra Colombia
Tierra Digna - Centro de Estudios para la Justicia Social

Costa Rica

Coecoceiba- Amigos de la Tierra Costa Rica
FENTRAGH (Federación Nacional de Trabajadores de la Agroindustria, Gastronomía, Hotelería y Afines)

Croatia

Udruga OPGH "Život" (Association of Croatian Family Farms "Život")

Denmark

NOAH Friends of the Earth Denmark

Ecuador

Aborto Libre Guayaquil
Acción Ecológica
ASTAC (Asociación Sindical de Trabajadores Agrícolas y Campesinos)
CDES (Centro de Derechos Económicos y Sociales)
CDH (Comité Permanente por la Defensa de los Derechos Humanos)
Centro Ecuatoriano para la promoción y acción de la mujer Guayaquil
CSMM (Centro de Documentación en Derechos Humanos "Segundo Montes Mozo S.J.")
Ecuador Decide Mejor Sin TLC
Frente Nacional por la Salud de los Pueblos - Azuay
Fundación Terrasapiens
MESSE (Movimiento de Economía Social y Solidaria del Ecuador)
Movimiento Jubileo 2000 Red Ecuador
PIDHDD (Coordinación Regional de la Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo)
Plataforma "Va por ti Ecuador"
Waorani Yasuni

El Salvador

ADES (Asociación de Desarrollo Económico Social, Santa Marta)
CESTA - Amigos de la Tierra El Salvador
Red de Ambientalistas Comunitarios de El Salvador

Estado español

Amigos de la Tierra - Estado español
Argilan-ESK, Euskal herria
ASiA-Associació Salut i Agroecologia

Asociación Hispano-cubana Paz y Amistad de Avilés,
Asturias
Asociación para la Justicia Ambiental
ATTAC España
ATTAC Mallorca
Campaña estatal No a los Tratados de comercio e
inversión
Campanya Catalunya No als Tractats de Comerç i
Inversió
CC.OO (Confederación Sindical de Comisiones
Obreras)
CGT (Confederación General del Trabajo)
COAG (Coordinadora de Organizaciones de
Agricultores y Ganaderos)
Coordinadora asturiana de ONGd
Coordinadora Estatal de Comercio Justo
Ecologistas en Acción
Ecologistas en Acción Sierra de Utrera
ELA sindicato, Euskal herria
Ekologistak Martxan,
Enginyeria Sense Fronteres
Entrepueblos/Entrepobles/Entrepobos/Herriarte
ENVJUSTICE-EJAtlas project - ICTA, Autonomous
University of Barcelona
FAI (Foro de abocad@s de Izquierda)
Federació d'Ecologistes en Acció Catalunya
Fundació Pau i Solidaritat - CC.OO Catalunya
Fundación APY
Greenpeace - España
Justicia i Pau Barcelona
Lafede.cat - Organitzacions per a la Justícia Global,
Catalunya
LAB Sindicato, Euskal Herria
Marcha Mundial das Mulleres Galiza
Novact - Instituto Internacional para la Acción
Noviolent
Observatorio de Multinacionales en América Latina -
Paz con Dignidad
ODG (Observatori del Deute en la Globalització)
SAT (Sindicato Andaluz de Trabajadore/as)
Sindicato de oficios varios de la CGT de Cuenca
SOLdePaz.Pachakuti
SUDS
Tradener: Transición Democrática del Modelo
Energético, Euskal Herria
UGT (Unión General de trabajadores)
USO (Union Sindical Obrera)

Finland

TTIP-verkosto - TTIP-network

France

ActionAid
AITEC (Association internationale de techniciens,
experts et chercheurs)
Amis de la Terre/Friends of the Earth France
Artisans du Monde Nice
Association APEL57
ATTAC - France
CNR (Comité pour une Nouvelle résistance)
Collectif 07 Stop Gaz et Huiles de Schiste
Collectif Citoyen Viviers Le Teil contre GDS et
TAFTA
Collectif contre les gaz de schiste CAMI'GAZ Alès
Collectif Repenser les Filières

Confédération paysanne
Fondation Frantz Fanon
France Amérique Latine
France Libertés - Fondation Danielle Mitterrand
GIET (Groupe International d'Etudes
Transdisciplinaires)
Images d'eau
La Quinzaine Amazonienne
Ligue des Droits de l'Homme
Ligue des Droits de l'Homme - Aix en Provence
Ligue des Droits de l'Homme - Ouest Provence
Ligue des droits de l'Homme - Saint-Maximin
Mashikuna
Nature Rights
Touche pas à mon schiste !
Veblen Institute
Youth for Climate Bourg

Germany

Arbeitskreis Fracking Braunschweiger Land
ATTAC - Germany
Berliner Wassertisch
BI Frackingfreies Hessen
BUND (Friends of the Earth Germany)
FDCL (Center for Research and Documentation Chile-
Latin America)
Gesellschaft für bedrohte Völker e.V.
GlobalConnect-Berlin e.V.
Informationsbüro Nicaragua e.V.
Interessengemeinschaft gegen Gasbohren
Tecklenburger Land
Netzwerk Gerechter Welthandel
PowerShift e.V.
The Hunger Project

Ghana

Oilwatch Ghana

Guyane Française

Collectif Or de Question,
Maïouri Nature

Haïti

IJDH (Institute to Justice & Democracy in Haiti)
PAPDA (Plateforme Haïtienne de Plaidoyer pour un
Développement Alternatif)

India

Chennai Solidarity Group
Indian Social Action Forum

Indonesia

IGJ (Indonesia for Global Justice)

Ireland

Climate Change Ireland
FÍS NUA
International Presentation Association
Irish 'Future we Need' Group
Keep Ireland Fracking Free
LASC (Latin America Solidarity Centre)

Italia

Casa del Popolo di Torpignattara
FOCSIV - Federation Christian Italian NGOs

Luxembourg

ASTM (Action Solidarité Tiers Monde)

Maroc

FNSA/UMT (Federation Nationale du Secteur Agricole)

México

PODER. Project on Organising Development Education and Research
Asamblea Veracruzana de Iniciativas y Defensa Ambiental
CEMDA (Centro Mexicano de Derecho Ambiental)
Colectivo por la Autonomía

Mocambique

JA!Justica Ambiental/FOEMocambique,

Netherlands

Den Haag Fossilvrij (The Hague Fossil Free)
Fossilvrij Onderwijs
MetaMeta
TheWaterChannel
TNI (Transnational Institute)

Nicaragua

Center for Justice and Human Rights of the Atlantic Coast of Nicaragua

Nigeria

Health of Mother Earth Foundation

Northern Ireland

Friends of the Earth Northern Ireland

Palestine

Stopthewall (Palestinian grassroots Anti-Apartheid Wall)

Panamá

CIAM (Centro de Incidencia Ambiental de Panamá)

Paraguay

Heñói, Centro de Estudios y Promoción de la Democracia, los Derechos Humanos y la Sostenibilidad Socioambiental

Perú

Central Unitaria de Trabajadores del Perú
CooperAcción
Instituto para el desarrollo y la paz amazónica
Latindad - Red Latinoamericana por Justicia Económica y Social
Red Regional Agua, Desarrollo y Democracia – Piura

Philippines

Kalipunan ng mga Kilusang Masa - Social Movement Gathering
World March of Women-Philippines

República Dominicana

CNUS (Confederación Nacional de Unidad Sindical)
INSAPROMA (Instituto de Abogados para la Protección del Medio Ambiente)

Sénégal

PACTE

South Africa

Mfidikwe environmental chamber
South Durban Community Environmental Alliance

Switzerland

Association Noé21
Association WBBC Wind of Bethlehem Breath of Charity
CETIM (Centre Europe Tiers-Monde)
Collectif Breakfree Switzerland
Coordination Climat Justice Sociale - Genève
FIAN - Switzerland
Gilets jaunes de Suisse
Grands-parents pour le climat-Genève
Society for Threatened Peoples
Solifonds
Stop TiSA - Genève
Uniterre, organisation paysanne

Togo

Les Amis de la Terre -Togo
Young Christian in Action for Development

Tunisie

World March of Women - Tunisia National Coordination

United Kingdom

Global Justice Now
Latin America Bureau - London
London Mining Network
Rethinking Value Chains network
War on Want

United States

Amazon Watch, United States
Center for International Environmental Law
Corporate Accountability
Crude Accountability
Grassroots Global Justice Alliance
Institute for Justice & Democracy in Haiti
Institute for Policy Studies Climate Policy Project
National Lawyers Guild International Committee
Oil Change International

Uruguay

Gender and Trade Network
REDES (Amigos de la Tierra Uruguay)

