

Oiling the Wheels of Injustice. Indigenous Communities in the Amazon

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After a quarter of a century of legal battles, indigenous communities in the Amazon are still awaiting justice for the damage inflicted on their environments and health by Texaco, which was taken over by US oil giant Chevron. Civil society organisations from around the world are standing in solidarity with the victims.

Tuesday 21 May 2019 is the International Day of Action Against Chevron, during which [260 civil society organisations, representing an estimated 280 million people](#), have come together to express their outrage at the impunity the American oil giant continues to enjoy and to voice their solidarity with the indigenous communities affected by Chevron's toxic environmental practices.

"Chevron not only ignores a ruling by the Ecuadorian Supreme Court ordering it to clean up the toxic mess Texaco left behind in the Amazon that is still killing and poisoning people and to compensate the victims, it also attacks those who defend the victims with shock-and-awe lawfare," said Nick Meynen, environmental and economic justice policy officer at the European Environmental Bureau (EEB).

On hell's ice rink

Indigenous peoples affected by decades of leaks and dumping in the Amazon from the Lago Agrio oil installation in Ecuador have been seeking justice and compensation from Texaco, the field's then operator, since 1993. Evidence gathered during the investigation shows that Texaco dumped some 68 billion litres of toxic wastewater and hundreds of thousands of barrels of crude oil into the rainforest during its operations in north-east Ecuador.

"We will fight this until hell freezes over, and then fight it out on the ice," a company spokesperson said at the time the litigation was first brought, and the oil giant has stayed true to its word.

Over the past quarter of a century, the class action lawsuit has shifted through numerous jurisdictions, including the United States, Ecuador, the Netherlands and Canada.

In 2011, the Supreme Court of Ecuador ordered Chevron, which had since acquired Texaco, to pay \$18 billion in compensation to the victims, later reduced to \$9.5 billion, down from the original estimate of \$27 billion. Chevron, which has no substantial assets in Ecuador, has refused to pay for the restoration.

Beyond the reach of the law

Even though it was the oil company which had insisted on moving the case from the United States to Ecuador, Chevron later alleged that the Ecuadorian court's ruling was acquired through corruption, an allegation which Ecuador rejected and environmental groups are convinced was a ploy to escape liability. But Chevron did then return to the US court system to launch a counterattack.

"Chevron used a US law designed to attack the Mafia in an effort to criminalise human rights advocacy. This allowed Chevron to claim to be a victim of the very villagers it had poisoned," said Steven Donziger, the American human rights lawyer representing the affected indigenous communities, who experienced the full force of Chevron's legal army.

Not only did a New York judge who reportedly owned shares in Chevron refuse to consider the mountain of evidence of contamination acquired by environmental experts, [Donziger related](#), but Chevron's witness in the case against Donziger later admitted to [lying in his testimony and receiving large payoffs from Chevron](#).

Last year, the Permanent Court of Arbitration in The Hague, which is not actually a court of law but a tribunal to arbitrate between states, [ruled in favour of Chevron](#).

"This epic case of injustice involving three decades of struggle is a very good example of why we need a legally binding UN Treaty on transnational corporations and human rights," Meynen explains.

While Chevron has used its global reach and deep pockets to evade its responsibility to clean up the jungle it polluted, the villagers who paid the price for its negligence continue to suffer without compensation.

"The EEB believes that polluting companies should pay to clean up the mess they leave behind. It is high time for Chevron to stop evading justice and start delivering it," concludes Meynen.

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