



ECUADORIANS BEGIN LEGAL PROCEEDINGS BEFORE THE INTERNATIONAL CRIMINAL COURT AGAINST THE CEO OF CHEVRON

Ecuadorians affected by environmental contamination left behind by Chevron in Ecuador, filed today a complaint with the International Criminal Court (ICC) seeking criminal conviction for the CEO of Chevron, for crimes against humanity committed against the people of the Ecuadorian Amazon.

The letter, which is equivalent to a complaint, was given to Fatou Bensouda, Prosecutor of the said court. Here the events that occur in the Amazon jungle of Ecuador and the actions and decisions taken by John Watson, CEO of Chevron, along with other company executives, constitute a widespread and systematic attack against the civilian population of that area, which is punishable under Article 7 (Crimes against Humanity) of the Rome Statute.

This opens the road that complaints made against fundamental rights violations do not go in any way unpunished. Considering that, according to the position of respected jurists, this massacre currently does not exhibit any of the classic signs, but they extend to facts such as: creating a living space that has been heavily contaminated; harassment to the residents of the region; or what is worse, the indefinite maintenance of environmental conditions that continue to violate fundamental Human Rights. All these set of actions constitute a crime against humanity under the terms of the Rome Statute and this is precisely what the CEO of Chevron has done in Ecuador.

That is why, through the action before the International Criminal Court, the Ecuadorian people, more than 30 thousand Indigenous civilians and settlers of the Ecuadorian Amazon basin, publicly denounce the actions of the Directors of Chevron. Environmental conditions generated by the oil company remain, which in turn has caused negative health consequences and negative impacts to the quality of life, as a continuous violation of their rights. Despite the fact that the Ecuadorian courts have passed their judgement, this has been continually ignored by the oil company. According to those involved, as soon as the compensation payments are made by the oil company, environmental remediation actions which will reduce the negative impacts will begin.

Chevron-Exaco caused the biggest disaster in recorded history of the oil industry in Ecuador. The damage was caused in the Ecuadorian Amazon, where it operated between 1960 and 1992. Representatives of those most affected, began a long legal process in 1993 which culminated with environmental



conviction, endorsed in October 2013 by the National Court of Justice of Ecuador. Contrary to the above, the company has developed a clear strategy of concealment pollution, the discredit of the victims and a constant refusal to meet its international responsibilities for Human Rights.

An action of this nature before the International Criminal Court is unprecedented and represents an advance in the field of International Criminal Justice. This will allow judgement on the actions of individuals who are committing crimes, considered in the Rome Statute, as "crimes against humanity". The delaying actions of the company have not allowed the repair of existing environmental conditions that are causing deaths to a human population, but it has forced indigenous peoples to change their way of life and customs. These are issues which should be a cause for analysis and resolution of the International Criminal Court, whose duty is to ensure compliance with human rights around the world.

This action adds to significant progress on human rights issues at the supranational level. The UN Human Rights Council (UNHRC) in its Session in Geneva last June 26th, passed a Resolution mandating the setting up of an Inter-Governmental Working Group (IGWG) to develop a legally binding international instrument obliging TNCs to comply with all regulations concerning human rights. On that occasion the Chevron case was presented, through Pablo Fajardo, lead attorney in the case, representing the affected people in Ecuador.

In this case, the ICC will have the opportunity to investigate and verify the individual criminal responsibility of actual persons acting as "juridical" persons. Corporations will have to adjust their practices and their representatives should be held liable for their human rights violations in the communities in which they operate.

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