

ECUADOR'S CONSTITUTIONAL COURT REJECTED THE EXTRAORDINARY APPLICATION FOR PROTECTION OF CHEVRON CORPORATION

Quito. 10 July 2018. The decision of the Constitutional Court of Ecuador that denies the protection action requested by Chevron was finally notified to the parties yesterday. The purpose of this action was to avoid payment imposed by the Courts of Justice of Ecuador in 2011, and thus evade their legal responsibility for the reparation of contaminated areas.

Yesterday afternoon, through a notification sent to the lawyers of the trial, the Constitutional Court officially announced the resolution of the plenary session held on Wednesday, June 27 of the current year, which denies the extraordinary protection action. With this resolution all the possibilities of appeal in the Ecuadorian legal system are exhausted.

In an extensive document of 151 pages, the Constitutional Court details all the arguments that lead it to “Declare that there is no violation of constitutional rights” and “deny the extraordinary protection action filed” by Chevron Corp., in which it alleges that its constitutional rights were violated.

This ruling is a great step to access justice, said Willian Lucitante, Executive Coordinator of the Union of People Affected by Texaco (UDAPT), an organization that protects more than 30 thousand affected and has taken this case to all possible courts. “After 25 years of struggle, we can finally close this chapter. We are moving closer to get justice” said the UDAPT leader.

According to Lucitante, now Chevron can not continue deceiving in other jurisdictions arguing that the sentence is not enforceable because the trial has not ended in Ecuador.

The company used to take advantage of this situation to request that the processes of homologation and execution of the sentence in other countries be stopped.

As a result, it has not been possible to make the judicial obligation effective. Accordingly, the people affected did not get the money to clean up the environment, an area of more than 480,000 hectares, so the Chevron oil wastes continue to poison the rainforest ecosystem.

Donald Moncayo, sub-coordinator of the UDAPT and representative of the communities of peasants affected by pollution, stressed that it is not a triumph only of the organization, but of hundreds of organizations and millions of citizens of the world, who struggle to defend life and access to justice. He underlined that these 25 years of struggle have been an example, both for those affected and for other social struggles, to unravel the structures of impunity that shelter transnational corporations and allow them to violate the human rights of the communities where they operate.

“This case does not only affect Chevron”, said Moncayo, “but also sets a precedent for judging corporations, which generally, with the complicity of states, commit environmental crimes against human beings. It is a global victory against the system of injustice and corporate impunity”, he said.

Pablo Fajardo, Common Procurator of the affected, stressed that in Ecuador the judges of three judicial instances and the magistrates of the Constitutional Court fulfilled their duty, despite the immense pressures that they experienced. Fajardo thanked on behalf of the country those judges who did not succumb to the blackmail and attempted bribery, which is a common practice of the transnationals, as evidenced in multiple cases that were reported in a timely manner, over the course of more than two decades of this trial.

Fajardo acknowledged that this is not just a triumph of the UDAPT or those affected, it is a triumph for all the peoples of the world that fight for access to justice, for a dignified life and for respect for our human rights violated by corporate crimes. “We have not defeated only Chevron, we have defeated the system of Corporate impunity in Ecuador”, said the lawyer.

He highlights the Ecuadorian judicial system has been the only one in the world that has discussed deeply the Chevron Case. On the basis of sufficient evidence and legal arguments, he has given the reason to those affected in the two judicial instances, in the National Court of Justice and now in the Constitutional Court. At this point, he argues, the “crime committed by the oil company” is evident and proven, so we can not continue talking about a supposed damage, much less that it is a fraud. Finally, those affected may celebrate this ruling, as they did for the global precedent they have achieved. It was unthinkable, said the Coordinator of the UDAPT, that a group of 30,000 indigenous and poor peasants would confront one of the most powerful corporations in the world. “Now we have shown that it is possible,” that the power of money has limits when faced with the dignity of peoples. He affirmed that the fight for justice has not concluded because the company withdrew all its assets from Ecuador, so they affected were forced to seek justice in other countries, like Canada.

The Constitutional Cort of Ecuador upholds \$9.5 billion damages award against **Chevron**. We stand with [#UDAPT](#) as they continue their fight in foreign courts for justice for affected communities in [#Ecuador](#) | [#StopChevronImpunity](#) | **DONATE:** <http://bit.ly/2t4q5Dg>

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