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Ecuadorian Court Fines Chevron \$17B for Oil Pollution

DemocracyNow reports that the oil giant, Chevron was fined over \$17 billion in a long-running case over environmental contamination in Ecuador. Amazonian residents have sued Chevron for dumping billions of gallons of toxic oil waste into Ecuador's rainforest since the 1970s. An Ecuadorian judge ordered Chevron to pay an 8.6 billion dollar fine and an equal amount in punitive damages. This is the second largest total assessment for environmental damages behind the 20-billion-dollar compensation fund for BP's Gulf Coast oil spill. Under the ruling the punitive damages would be waived if Chevron issues a public apology with 15 days. I personally think an apology is not worth 8.6 billion, especially when an apology can't help cleanup oil spills.

Chevron has vowed to appeal but it's also suggested it won't pay up under any circumstances, calling the ruling illegitimate and unenforceable. In a statement by Chevron, they also say that it's the product of fraud and it is contrary to the legitimate scientific evidence. They go on to say that Chevron intends to see that the perpetrators of this fraud are held accountable for this misconduct. Essentially Chevron is trying to play themselves off as the victim here. And this is interesting because Chevron fought for years to have the jurisdiction moved from the United States to Ecuador because they claimed they could get a fair and transparent trial and there and they essentially agreed to accept whatever the decision was. The evidence that was used by the judge is actually Chevron's own evidence – the thousands of soil samples were carried out by the court, by experts that have been brought on by the plaintiffs and also were carried out by scientists and experts that brought on by Chevron. Chevron basically doesn't want this to happen in any jurisdiction and effectively they believe they are above the law.

The plaintiffs, meanwhile, say they plan to appeal as well because the damages are too low – order does not meet their expectations based on tests and facts and it is not enough to cover the majority of the damages nor to repair said damages. The ruling comes over 17 years after the case was first filed in a New York Court. Chevron successfully fought to have it moved to Ecuador in 2003. In 2008 reports emerged that Chevron had lobbied the Bush administration to remove special trade preferences for Ecuador to pressure the Ecuadorian government to block the case. Chevron has also filed counter suits against the plaintiffs, their attorneys, and the Ecuadorian government in US courts.

It is really astonishing that one of the largest corporations in the world is against essentially some of the most marginalized communities in the world – indigenous communities in the Ecuadorian Amazon. Thousands of different acres were polluted in one of the most biodiverse areas in the world. Also, this area is the head waters for the Amazon, so when we're talking about water pollution, the effect is not simply limited to these tens of thousands of acres that are being affected by Chevron's former operating site there but it's also all of the communities downstream. This is the first-time indigenous people have sued a multinational corporation for environmental damages and for human rights violations in the country where the crime was committed and won – this is a very historic case. There are similar cases from other parts of South America which are in the early stages and they are expected to be multi-year long battles as well.