

# **Chevron's Ten Biggest Lies About Ecuador**

## ***Chevron's "Amazon Chernobyl"/Spring 2009/Short Version***

*(For more detail and citations, click here for long version)*

*Does Chevron respect the law and human rights in Ecuador? On its website Chevron has pledged to "conduct business in a socially responsible and ethical manner" and "to respect the communities" where it operates. But Chevron's conduct in the historic environmental trial in Ecuador's rainforest – where damages have been assessed at \$27 billion – can hardly be considered "ethical" or respectful. Texaco (now Chevron) was the exclusive operator of an oil concession in Ecuador's rainforest from 1964 to 1990. To keep costs to a minimum, the company systematically dumped into Amazon waterways 18 billion gallons of toxic waste in an area that was home to six indigenous groups – one of which is now extinct, and five of which have lost most of their ancestral lands. Chevron inherited this problem when it bought Texaco in 2001. Chevron's ten biggest lies about Ecuador follow.*

### **Chevron Lie #1: Texaco's operational practices caused no harm to the environment.**

Texaco admits that it deliberately dumped billions of gallons of toxic "water of formation" directly into the waterways and forests of Ecuador's Amazon region between 1964 and 1990. It also abandoned more than 900 open waste pits filled with toxic sludge that include carcinogenic chemicals such as chromium VI and benzene. For decades these pits have been leaching toxins into groundwater, soils, and streams that the local population relies on for drinking water. Experts call the area the "Amazon Chernobyl".

### **Chevron Lie #2: Scientific evidence at trial proves Texaco caused no harm.**

An independent, court-appointed expert – assisted by 14 independent scientists -- reviewed more than 60,000 chemical sampling results provided as evidence by Chevron, the plaintiffs, and various third-parties. The expert report concluded that 100% of the 94 former Texaco well sites and production stations inspected during the trial were highly contaminated with toxins harmful to human health. Damages were determined to be as high as \$27 billion.

### **Chevron Lie #3: Texaco's operational practices were customary for the industry.**

Chevron's practices in Ecuador violated industry customs and legal norms by almost every conceivable measure. The dumping of "water of formation" had been outlawed in the oil-friendly state of Louisiana in 1942. In 1939, Texas outlawed open-air toxic waste pits of the type Chevron built in Ecuador throughout the 1970s and 1980s. The entire oil industry was moving away from the waste disposal methods Texaco used in Ecuador as early as the 1920s.

**Chevron Lie #4: The dumping of toxic “waste water” poses no health risk.**

The U.S. government links hydrocarbon exposure to cancer, reproductive problems, nervous system damage, immune system impairment, and a host of other health problems. One academic study found rates of cancer in the area Texaco operated 130% above Ecuador’s norm. The court-appointed expert in Ecuador, using population and epidemiological data, estimated the contamination in the region where Texaco operated produced more than 1,400 excess cancer deaths.

**Chevron Lie #5: Texaco remediated the damage.**

It is clear from the scientific evidence in the trial that Texaco’s self-described “remediation” was nothing more than an elaborately choreographed fraud. The court expert found no difference in levels of contamination between sites Texaco claimed to have remediated, and those that had been left untouched. Two Chevron lawyers and seven former Ecuadorian government officials are now under criminal indictment for lying about the remediation results.

**Chevron Lie #6: The Ecuador trial court is biased against Chevron.**

To transfer the case to Ecuador from U.S. federal court, Chevron submitted numerous sworn statements praising Ecuador’s courts as fair and adequate. Once the evidence pointed to Chevron’s culpability, the company began to attack the process as unfair. Yet Ecuador has afforded Chevron more due process than probably any defendant in history: the company has presented more than 50,000 chemical sampling results and almost 200,000 pages of evidence. Chevron’s approach is to clear: praise foreign courts when you think you can win, and criticize them when you think you will lose.

**Chevron Lie #7: The plaintiffs are undermining the due process rights of Chevron.**

Chevron is trying to politicize the trial and undermine the legal rights of the plaintiffs. Chevron fabricated a military report used to suspend a critical field inspection on indigenous territory. Case materials have mysteriously disappeared from the law offices of the plaintiffs. Death threats against lawyers for the communities have been commonplace. Chevron has tried to shut down the trial by lobbying elected officials in the U.S. and Ecuador.

**Chevron Lie #8: Soil samples show no contamination.**

Borrowing the tactics of the tobacco industry, Chevron manufactures junk science to distract people from the real issues. Chevron asserts on its website that 99% of all samples taken at the Lago trial pose no threat to human health or the environment. Yet dozens of these so-called “remediated” sites contain levels of dangerous toxins up to thousands of times higher than permitted by U.S. and Ecuadorian law.

**Chevron Lie #9: The responsibility for further remediation rests with Petroecuador.**

Texaco – not Petroecuador – exclusively designed, built, and operated all of the oil production stations that are issue in the trial. From a legal standpoint, Chevron is not only liable for Texaco’s pollution – which continues leaching into soils and groundwater – but also for contamination caused by the continued use of Texaco’s flawed equipment. Chevron can sue Petroecuador if it feels that company should share the responsibility.

**Chevron Lie #10: The Court-appointed expert is neither qualified nor neutral.**

Cabrera is a highly respected environmental engineering consultant in Ecuador who has worked for a multitude of oil companies. For his work for the court in the Chevron case, he collaborated with a team of 14 independent scientists to review thousands of pages of evidence. More than 25 Ecuadorian and American scientists have reviewed the Cabrera report and found its conclusions reasonable. They also found the amount of damages to be consistent with those at other large environmental disasters around the world.

#