

OPEN LETTER FROM YASUNIDOS TO PETROAMAZONAS EP
REPORT: CUYABENO OIL SPILL

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Alarmed and distressed by the information that diverse organizations and Amazonian populations shared with Yasunidos regarding the magnitude of the oil spill on July 3rd in the province of Sucumbíos, a commission from the collective Yasunidos organized a trip along the length of Aguarico River. The collective, along with Cofán leaders, verified the extent of the spill's path and received first-hand testimonies from affected populations.

During the trip along Aguarico River from Dureno to the Cofán community of Zábalo—located in the heart of the Cuyabeno Wildlife Reserve (*la Reserva de Producción Faunística Cuyabeno*)—we witnessed the still visible effects of the oil spill along the banks of various sections of the Aguarico River. Testimonies collected from residents belonging to the Cofán, Kichwa and Siona nations allowed the commission to gauge the real proportions of the spill, which far surpass the officially recognized figures. The principal findings of the special commission, based on testimonies from populations and on site verification, are the following:

We confirmed that the oil spill has extended along the Aguarico River to at least the community of Zábalo in Cofán territory, located on the edge of the intangible zone of the Cuyabeno Wildlife Reserve. The most visible impacts persist in the vicinity of the riverbanks near the Cofán community of Dureno, where you can see patches of oil that a crew of workers is collecting and “cleaning”. These workers are gathering the crude manually with only very rudimentary protective equipment (See Figures 1 and 2).

Large slicks of oil were visible along Aguarico River in at least three different points. Almost two weeks after the spill, it was still possible to see its impacts on the vegetation and beaches near the Cofán community of Dureno. We are attaching photos with their respective geo-referenced locations (See figures 3 and 4 and list of GPS points)

Community members testified that this might be the largest oil spill that has occurred in the region during the last 20 years. Cofán residents who have experienced previous spills—since the era of Texaco—believe that this spill could easily have exceeded 10,000 barrels. In fact, a Petroamazonas worker admitted off-the-record that the company spilled approximately 15,700 barrels of crude.

A series of testimonies received in Secoya, Remolinos, Zabalo Cofan Dureno and Playas de Cuyabeno all deem the response of Petroamazonas EP to the disaster as inadequate and the presence of the Ministry of the Environment (MAE) as practically nil. They say company has not provided information about the spill's health impacts and the precautions that the communities should take in the face of these risks. The presence of Petroamazonas has been limited to the delivery of “food kits” along with participation in crisis committees formed by local governments.

In a series of testimonies, local parochial authorities also confirmed that the Ministry of the Environment has been essentially absent in the spill's aftermath. They say that the MAE has not dispatched staff to the region to ascertain the magnitude of the disaster and evaluate the necessary measures to contain it, despite fact that the spill directly impacts the Cuyabeno Wildlife Reserve.

Testimonials from the Cofán people of Playas de Cuyabeno Dureno and the Kichwa people of Zábalo affirm that Petroamazonas' community relations teams have provided no form of social compensation to affected communities beyond offers of temporary work as part of oil clean-up crews. Framing these clean-up activities as the company's official response to the disaster does NOT exempt them from publicly

assuming their responsibility for the spill and creating a proposal for a comprehensive process of socio-environmental remediation.

The communities have not been adequately informed about the scope of the remediation process nor about its specificities. They have not been told what types of chemical and organic materials that will be used to clean up the spill, nor what side effects these substances will have on the health of the region's people, animals and plants.

The main concern of Cofán communities living on the banks of the Aguarico river currently lies in the spill's grave impact on riverside communities that depended on the Aguarico River for fishing, water supply and cultural practices (bathing in the river, hunting near the creek,). In other communities, the provision of alternative sources of safe water remains uncertain. Petroamazonas EP has made no statement regarding how it will assume its responsibility to, at the very least, provide a safe water supply in the medium and long term. This provision of clean water is especially pertinent given that Petroamazonas EP advised that the Cofán community of Dureno not use the river for at least the next 6 months and up to 2 years.

The Cofán people call the Aguarico River Aí (Aí-Nae), meaning the "river of the people" or the "river of the community"¹. Its cultural value for the Cofán people is incalculable. The recognition of their ancestral territories is marked by the river's path and its relationship to the various Cofán settlements; the river is the reference point from which the Cofán tell their creation story and the expansion of their people. Texaco's oil exploitation in the region gravely impacted their sacred relationship with the river; the river's contamination represented the systematic expropriation of the river's symbolic and practical value as a source of life. It is unacceptable that Petroamazonas' operations have assisted in newly deepening this process of separation, exclusion and plunder of communities, at a time when the Cofán are trying to rebuild their relationship with the land and the elements that give it life.

Faced with this evidence, the special commission of YASunidos—in the name of civil society—exercising our constitutional rights that guarantee citizen participation in issues of public interest and submit the following questions to the responsible institutions and demand that they act in response the serious impacts generated by the oil spill that began on July 2nd.

To the company Petroamazonas EP:

- a) We urge Petroamazonas to recognize the actual proportions of the spill and publically report the number of barrels spilled at the time of establishing responsibilities and sanctions. We also demand that Petroamazonas present reports regarding the event's duration and the company's response time.
- b) Inform local residents and the general population by providing the answers to the following questions: What is the process for environmental remediation in the Aguarico River and other impacted areas? What procedures and materials are being used to clean the Aguarico River? What precautions should Cofán, Quichua, Siona, and Secoya communities take in response to the spill and the remediation process?
- c) What is the policy of social responsibility and compensation has the company decided to assume in response the devastation that their operations have generated? What will the goals and objectives of these social compensation policies? Does the company plan to publicly apologize to the Ecuadorians affected by the disaster?
- d) Is this the same top-notch technology that Petroamazonas EP plans to use in its operations in block ITT in Yasuní?

To the Ministry of the Environment (MAE)

¹ The Cofán people use the Aí to refer to themselves as people. This linguistic construction represents their understanding of themselves as both individuals and as part of a community and nationality

- a) We ask that you inform citizens and individuals affected by the spill as to whether there is an investigation in progress to establish responsibilities and sanctions for the oil company. In the case that there is such an investigation, we request that you indicate its timeline, plan and provide information regarding who inspected the oil spill in the Aguarico region.
- b) How do you explain that the country's environmental authority hasn't made a public announcement regarding one of the biggest oil spills in the last 20 years that involved a wildlife reserve under its jurisdiction through the National System of Protected Areas (*SNAP*)?
- c) What type of sanctions are you considering for these cases and when will the Ministry set in motion an administrative procedure to create a guarantee for the principle of reparation and *no* repetition by Petroamazonas?

To the Office of the Ombudsman:

- a) Given that the collective rights of at least four indigenous nationalities of the Amazon have been violated, the rights of nature have been violated, and the individual rights enshrined in the Constitution have been infringed, how is it that the office of the Ombudsman has not acted to set up an inquiry into the circumstances?
- b) We believe, beyond reasonable doubt, that events like this confirm our fears about the environmental disaster that the expansion of the petroleum frontier toward Yasuní could bring, and proves that Petroamazonas' "top-notch" technology is far from operating according to its own standards of environmental quality and social responsibility. At the same time, they reinforce our arguments and our conviction in favor of a country that moves clearly toward a post-petroleum era. Transitioning away from a dependence on petroleum is an unquestionable duty to Ecuador's citizenry and its environment, as well as a concrete—and not demagogic—demonstration of sensitivity to the victims of 40 years of dirty oil operations in the Northern Ecuadorian Amazon.

*What happened in Cuyabeno, never again...
What happened in Cuyabeno, never in Yasuní.*

For the Special Commission of YASunidos

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ANEXO 1: FOTOGRAFÍAS DE LA MISIÓN DE VERIFICACIÓN DE YASUNIDOS²

² 2 Photos taken by Pedro Bermeo



Photograph 1: Manual cleanup of crude
Location: 18 N 0326828
UTM: 0027449



Photograph 2: Manual cleanup of crude



Photograph 3: Petroamazonas workers with very basic protection from hazardous materials



Photograph 4: Manual cleanup of crude with very basic equipment



Photograph 5: Manual cleanup of crude. Is this “top-notch technology”?



Photograph 6: Is this “top-notch technology”?



Photograph 7: A worker in the disaster area



Photograph 8: Rocky beaches of the Aguarico River stained with crude

Location: N 0313427
UTM 004090



Photograph 9: Crude on the stones of the Aguarico River



Photograph 10: Crude near Dureno (6 days after the disaster)



Photograph 11: Crude in the Aguarico River(Six days after the spill)



Photograph 12: Containment Barrier at the height of the Zábalo River in the heart of the a Cuyabeno Wildlife Reserve
Location: 18N 0348149
UTM: 9967417



Photograph 13: The protection barrier in the Rio Zábalo is easily passed

ANEXX 2: Photographs of populations at the site of the spill



Photograph 1-A: Site of the disaster three days after





Photograph 2-A: Soldiers guarding the site and impeding documentation of the spill.



Fotograma 3-A: Armed forces guarding the oil company ¿Deja vu of the long neoliberal night?



