

Trade Policy and Indigenous Rights

Oil Corporations vs. Andean and Amazon Communities

Ecuador

According to Amazon Watch, “For over three decades, Chevron chose profit over people.

While drilling in the Ecuadorian Amazon from 1964 to 1990, Texaco – which merged with Chevron in 2001 – deliberately dumped more than 18 billion gallons of toxic wastewater, spilled roughly 17 million gallons of crude oil, and left hazardous waste in hundreds of open pits dug out of the forest floor. To save money, Texaco chose to use environmental practices that were obsolete, did not meet industry standards, and were illegal in Ecuador and the United States.

The result was, and continues to be, one of the worst environmental disasters on the planet. Contamination of soil, groundwater, and surface streams has caused local indigenous and *campesino* people to suffer a wave of mouth, stomach and uterine cancer, birth defects, and spontaneous miscarriages. Chevron has never cleaned up the mess it inherited, and its oil wastes continue to poison the rainforest ecosystem.

Today, 30,000 Ecuadorians are demanding justice in a landmark class action lawsuit. Despite Chevron's repeated efforts to sabotage the trial, an independent court-appointed expert recently deemed Chevron responsible for up to \$27 billion in damage.”

Chevron's dirty tricks continue. Last year Chevron is conducted what Inter Press Service describes as “a high-powered lobbying campaign to persuade the Obama administration to cancel [Ecuador's trade preferences] as a way of exerting leverage over the government of President Rafael Correa to settle the case on favorable terms. Despite Chevron's lobbying efforts, the Obama administration in July extend Ecuador's trade preferences under the 1991 Andean Trade Preferences Act for another six months and renewed them in December. Initially fearing a judgement in support of the plaintiff in the US, Chevron forced the case to be tried in Ecuador instead.. With a ruling against Chevron now considered inevitable in Ecuador, Chevron is using the using the Bilateral Investment Treaty between the US and Ecuador to take its case to the Permanent Court of Arbitration in The Hague. According to Santiago Cueto of International Business Law Advisor , “Chevron’s global quest for a favorable forum is a **text book example of abusive litigation**. To litigate a lawsuit across three continents is a cynical game of musical jurisdictions and takes corporate arrogance and the civil justice system to a new low. Isn’t it time for Chevron to take a seat when the music stops in Ecuador?”

While oil companies are trying to pull trade preferences from nations that are taking strides to respect indigenous rights, they are lobbying for free trade agreements with nations that have demonstrated flagrant disregard for the rights of indigenous peoples and their lands.

Peru

In 2007, oil corporations like Occidental Petroleum, a major polluter of the Peruvian Amazon, were successful in pushing the US-Peru Free Trade Agreement through Congress. Despite strong opposition to the US-Dominican Republic-Central America Free Trade Agreement, Congressional Democratic leadership supported the agreement, despite opposition from a majority of rank and file congressional Democrats and constituents. Perhaps this change in course was facilitated by Occidental's campaign contributions to Speaker of the House Nancy Pelosi -- Occidental was Pelosi's #1 campaign contributor in the 2006 election cycle.

The Peru Free Trade Agreement has disastrous implications for indigenous communities, and is strongly opposed by AIDSEP, the national organization of Peru's indigenous communities. The Peruvian Amazon rainforest is already under attack by oil, gas, timber, mining, and corporate agribusiness. Investor rules under the free trade agreement will allow corporations to sue the Peruvian government when enforcement of environmental laws results in lost potential profits.

The agreement also opens the way for large pharmaceutical and agribusiness corporations to patent traditional knowledge, seeds, and life forms. This opens the door to bio-piracy of the Andean-Amazon region and threatens the ecological, medicinal and cultural heritage of indigenous peoples.

CLEAN UP, PAY UP!



MORE AMAZON DESTRUCTION
PER GALLON



Victims of the Bagua Massacre.

Similar to Chevron Texaco in Ecuador, Occidental has a devastating history in Peru. According to Amazon Watch, “35 years of oil production in Block 1AB in the northern Amazon has left indigenous peoples, who have lived in the area since time immemorial, suffering malnutrition, sickness and social disruption. Since 1971, Los Angeles-based Occidental Petroleum, using practices outlawed in the U.S., pumped an average of 800,000 gallons a day of salty formation water and other toxic wastewaters into local rivers with appalling consequences for local communities.”

In June 2009, as many as 250 indigenous people were killed in a police massacre in Bagua, Peru. The victims were part of a national nonviolent uprising demanding the revocation of a series of legislative decrees passed by President Garcia “to promote oil and natural gas extraction, logging and large-scale agriculture on traditional Indian lands.”(Associated Press, “Amazon Indians Challenge Peru Over Land Laws Enacted as Part of New U.S.-Peru Free Trade Deal Sparking Violence.”MSNBC.com, 9 June 2009.) The legislative decrees were implemented by President Garcia using powers given to him by the Peruvian Congress in order to implement the US-Peru Free Trade Agreement.



“Indigenous people marching along the Pan American Highway in Colombia on October 23 carry coffins to protest ongoing violent repression against their struggle for recognition of Indigenous land rights. [Photo credit: RODRIGO ARANGUA/AFP/Getty Images]”
Text by Amnesty International.

Colombia

Oil pipelines are a conflict flash point in the bloody Colombian civil war. As oil extraction operations and pipelines traverse their lands, indigenous people have found themselves entangled in a conflict in which they want no part. Oil corporations engaging in dirty extraction operations and rebel groups worsen the problem by blowing up pipelines, polluting the land, water, and food that indigenous people depend upon.

With close ties to right wing paramilitary death squads, Colombia's government has the worst human rights record in the Western hemisphere. More union organizers are assassinated in Colombia than in any other nation. Colombia has the second-highest internal displacement rate in the world after Sudan, with estimates ranging from 1.9 million to almost 4 million. Colombia has the 4th highest rate of assassination of journalists of any nation since 1992. Presidents Clinton and Bush made matters worse with a massive military aid package to Colombia's

government. As nations throughout the Americas have elected progressive governments, Colombia's right-wing president has maintained power through fear mongering, intimidation, and propaganda, in service to the interests of cattle barons, drug lords, and multinational corporations like Occidental Petroleum. Sadly, in the eyes of the Bush administration, this made Uribe the US's key ally in the region. The Bush administration negotiated a free trade agreement with Colombia and urged Congress to ratify it, arguing that the US needed to support a key ally. The agreement has yet to be voted on in Congress, thanks to strong opposition from unions and human rights advocates.

In a letter to President Obama and members of Congress, the National Indigenous Organization of Colombia (ONIC) argues that the US-Colombia Free Trade Agreement will:

- Violate the constitutionally guaranteed cultural rights of Colombia's indigenous peoples.
- Promote increased expropriation of natural resources from indigenous territories without the consent of the communities, their leaders and authorities.
- Privatize and convert the knowledge of plant and animal life that indigenous persons have cultivated through millennia-old traditions into capital wealth.
- Promote internal displacement, water privatization, the use of transgenics, weaken labor rights and work conditions, and will lead to decreased living standards and health by further privatizing social services.”

What You Can Do

- Write to your senators, Congressmembers and to President Obama and urge them to resist efforts by Chevron to pull Ecuador's trade preferences, to introduce and/or support legislation to repeal the Peru Free Trade Agreement, and to speak out against and vote against the Colombia Free Trade Agreement. Find out who represents you and their contact information at <http://snipurl.com/LegLookup>.
- Boycott Chevron Texaco. Better yet, boycott cars altogether and use public and human-powered transportation (bicycles etc.)
- Write to the executives of Chevron Texaco and demand that they clean up the mess they left behind. Use the webform at <http://snipurl.com/chevrontoxico>
- Volunteer with Global Justice for Animals and the Environment (GJAE). Help us work in solidarity with indigenous communities to defend the Andes and the Amazon.
- Make a donation to Global Justice for Animals and the Environment. Mail checks to the address below. Make checks out to “Wetlands Activism Collective” (our parent organization). Write “GJAE” in the note.
- Learn more at these websites: <http://chevrontoxico.com/>, <http://www.texacotoxico.org/eng/>, <http://freetradekillsanimals.org>, <http://amazonwatch.org>, <http://tradejustice.net>, and <http://stopperufta.org>.

Global Justice for Animals and the Environment, 15 Thames Street, Brooklyn, NY 11206
Phone: (718) 880-7979 Email: info@freetradekillsanimals.org Web: <http://freetradekillsanimals.org>