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Crude Questions & Answers

What is *Aguinda v. ChevronTexaco*?

This precedent-setting lawsuit was filed against Chevron on behalf of 30,000 Amazon residents. The lawsuit alleges that Chevron (then Texaco) deliberately dumped more than 18 billion gallons of toxic waste water and left 917 waste pits filled with toxic sludge, leading to over 1400 cancer deaths, birth defects, and polluted water supplies.

What makes this case against Chevron historic?

The case represents the first time Indigenous peoples from the Amazon have brought an US oil company to trial in their national courts. The lawsuit could be the largest environmental lawsuit in history with damages over \$27 billion.

When did the case start?

The case was filed against Texaco in federal court in New York in 1993. Texaco fought for nine years to avoid trial in the United States, eventually convincing the judge in 2002 to transfer the case to Ecuador. Chevron claimed that Ecuador's courts were a more fair and adequate, and as a condition of the dismissal, Chevron agreed to adhere to any judgment. Now Chevron is pulling every dirty trick possible to avoid judgment in Ecuador. The trial in Ecuador began in October 2003.

What has the evidence of the case shown?

In 2008 the court-appointed technical expert released a huge report that analyzed all of the evidence, including more than 62,000 scientific sampling results. The team of scientists found that the sampling results show that 100% of Texaco's former well sites show dangerous levels of pollutants. The report found that Chevron was primarily responsible for the pollution and estimated damages to be as high as \$27 billion.

What has been the health and social impacts of the ChevronTexaco's pollution?

Cancer rates and other oil-related health problems in the region have skyrocketed, devastating a region with little or no access to adequate medical care. The oil contamination has caused over 1400 cancer deaths, as well as rampant skin, developmental, and reproductive diseases. Five Indigenous groups in the region have lost 95% of their ancestral land and seen dramatic declines in their populations. These groups – the Cofan, Secoya, Siona, Kichwa, and Huaorani – had prospered in the rainforest for centuries before the oil giant's arrival.

Has Chevron done anything to help this humanitarian crisis?

No action has been taken by Chevron. Despite extensive evidence of health problems the oil giant has never provided a health evaluation of the area and never conducted an environmental impact study. The company never even kept a log of the existence and locations of its hazardous waste pits so local residents could avoid them.

What has Chevron done?

Chevron has invested millions of dollars in DC lobby efforts, PR teams, and dirty lawyers. They continue to invest in delay tactics and public relations, while Ecuadorian communities need them to invest in solutions.

What about the legal release Chevron claims as a defense?

Certain Ecuadorian government officials in 1998 gave a “release” to Texaco. This “release” only applies to the claims of Ecuador’s **government**; it *expressly excludes* the claims of **private citizens**, which are the plaintiffs in the current lawsuit.

Chevron says they cleaned up their mess. Is this true?

Chevron claims that Texaco was released from any responsibility for further clean-up after they “remediated” approximately 15% of its 917 waste pits in the mid 1990s. This “remediation” consisted of covering the pits with dirt, allowing cancer-causing hydrocarbons to continue to leach into soil and groundwater. Soil sampling taken during the trial from each of the “remediated” sites still shows dangerous levels of contamination. Court experts have found no difference in levels of contamination between pits that had been “remediated” and pits that had not.

Chevron blames PetroEcuador. Why?

Chevron has tried to shift the responsibility for any clean-up to Petroecuador, Ecuador’s state-owned oil company that inherited Texaco’s failing infrastructure when the oil giant left Ecuador in 1992. The lawsuit is about damage caused by Texaco when it was the only operator of in the area. Texaco exclusively designed, built and operated the oil production infrastructure in Ecuador. As operator, it is responsible for environmental damage it caused.

When will the legal case end?

A judgment from the court is expected in late summer of 2010. If it loses, Chevron has promised a “lifetime of litigation” by dragging out the appeals process, while communities suffer the consequences.