



Luxembourg, May 21, 2026

H.E. Hernán Enrique Ponce Aray

Ambassade d'Équateur à Bruxelles

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Belgique

To: Daniel Noboa, President of Ecuador
Juan Carlos Larrea Valencia, Attorney General of Ecuador
Government of the Republic of Ecuador

Subject: CHEVRON'S ARBITRATION PROCEEDINGS AGAINST THE STATE OF ECUADOR

We, the undersigned, representatives of different social movements and organisations working to defend the Amazonia region, Indigenous Peoples' rights and their human rights, are writing to you to express our deep concern regarding the arbitration proceedings currently underway against your country in relation to the transnational corporation Chevron.

Background:

On 3 November 1993, people affected by Texaco's (now a subsidiary of Chevron) operations in Lago Agrio, in the Ecuadorian Amazonia, filed a lawsuit against the oil company in a federal court in New York. However, the corporation moved to dismiss the case, arguing that it should be heard in Ecuador's court system rather than that of the United States, and the court agreed, dismissing the U.S. lawsuit. In 2003, affected people filed a lawsuit with the presiding judge of the Court of Justice in Nueva Loja, Sucumbíos Province, Ecuador. After eight years of litigation, the judge found Chevron responsible and ordered it to pay just over US\$9.5 billion to remedy the damage caused

and that reportedly continues to exist. This ruling was later upheld by three judges of the Sucumbíos Court, by the National Court of Justice in 2013, and by the full bench of the Constitutional Court of Ecuador in 2018.

Concurrently, in 2009 Chevron initiated an international arbitration case against the State of Ecuador. The arbitration claim is based on the Bilateral Investment Protection Treaty signed between Ecuador and the United States of America, which entered into force in 1997. In its filing, Chevron alleges that the Ecuadorian government signed an agreement with Texaco on 4 May 1995, in which it withdrew its claims against Texaco, committed to never again sue the oil company, and released Texaco from all liability. Texaco committed to remediate part of the environmental damage caused by its operations and retained the right to sue the State of Ecuador. The arbitration process involves only Chevron against the State, affected people are not part of the process.

On 30 August 2018, the arbitration panel, following the UNCITRAL Rules, issued a ruling against the Ecuadorian State, ordering the Ecuadorian State to set aside the judgment in the Lago Agrio case and to prevent the complainants from enforcing the judgment ("*sentencia*" in the Ecuadorian law) in Ecuador or elsewhere in the world; it further ordered the Ecuadorian State to pay Chevron's legal costs. The laudo fails to respect human rights and international human rights treaties.

In the 17 November 2025 ruling, the arbitrators ordered the Ecuadorian State to pay Chevron US\$215 million as settlement for the various legal proceedings Chevron has had to face.

REQUEST FOR A CREDIT FREEZE

When this ruling was made public, affected people filed a request for a credit freeze with the judge responsible for enforcing the judgment ("*sentencia*" in the Ecuadorian law). The reasons for this freeze are many:

- Judicial security for communities and peoples affected by the actions of transnational corporations.
- Enforcement of the polluter pays principle. It is unacceptable that the State of Ecuador should pay the transnational corporation that Ecuador's justice system has found responsible for environmental damage and violations of peoples' rights.
- Human Rights prevail over corporate economic rights.
- Access to justice, reparations and non-repetition. If the harm is not repaired, there is no justice. Affected people continue to wait for reparations while the government rushes to benefit a large transnational corporation.

We have here two events, two rulings, which are contradictory and are upheld by different systems. The court ruling is final. Meaning, Chevron owes more than US\$9.5 billion; and, conversely, the State owes Chevron US\$215 million.

However, Chevron's subsidiary extracted oil in Ecuador, and according to the ruling of the Ecuadorian judicial system, used the worst possible environmental technology, polluted rivers and the rainforest, and allegedly caused illness among the inhabitants of the Amazonia region, who – despite winning a legal battle to secure justice – must now, as Ecuadorian citizens, pay the company's successor through the State.

If we allow this to happen, we would be allowing the rights of transnational corporations to take precedence over the rights of peoples and their human rights. A sovereign country's judicial system would lose its independence and become subordinate to corporate impunity.

The Chevron case is emblematic of how transnational corporations violate the rights of peoples and their human rights in the region and around the world, and then shield themselves behind private tribunals. The struggle against Chevron is an example of dignity, resistance and the quest for justice by organised popular subjects.

We support these grassroots expressions and urge the Ecuadorian government to defend the rights of its people and not give priority to corporate power:

1. Respect and abide by the provisions of the Constitution.
2. Respect the rulings issued by your justice system, and especially those of the Constitutional Court of Ecuador.
3. Guarantee judicial security in Ecuador.
4. Stop bowing to international arbitration systems. It is worth bearing in mind that, in the referendum held on 21 April 2024, the majority of the Ecuadorian people stated that they do not want the country to be subject to international arbitration.
5. Ensure the primacy of the Ecuadorian Constitutional Court's judgment ("*sentencia*" in the Ecuadorian law) over the arbitration ruling. The Constitutional Court's judgment ("*sentencia*" in the Ecuadorian law) protects people's human and constitutional rights; the arbitration ruling protects Chevron's money.

Without further ado,

SIGNED BY:

1. Friends of the Earth International
2. ATALC (Friends of the Earth Latin America and the Caribbean)
3. Friends of the Earth Asia Pacific
4. Friends of the Earth Europe
5. Friends of the Togo
6. Friends of the Earth Mozambique – Ja! Justicia Ambiental
7. Friends of the Earth Australia
8. Friends of the Earth Sweden
9. Friends of the Earth Cyprus
10. Friends of the Earth Nepal
11. Friends of the Earth South Africa - groundWork
12. Friends of the Earth England, Wales and Northern Ireland
13. FoE Japan
14. Friends of the Earth Malaysia - Sahabat Alam Malaysia
15. Friends of the Earth Bangladesh - Bangladesh Environmental Lawyers Association
16. Friends of the Earth France – Amis de la Terre France
17. Friends of the Earth Belgium - Les Amis de la Terre - Belgique asbl
18. Friends of the Earth India
19. Friends of the earth Bosnia and Herzegovina
20. Friends of the Earth Austria
21. Friends of the Earth Switzerland – Pro Natura
22. Friends of the Earth US
23. Friends of the Earth Ireland
24. Friends of the Earth Scotland
25. Friends of the Earth Philippines
26. Friends of the Earth Indonesia
27. Friends of the Earth Luxembourg – Mouvement Ecologique
28. FoE Denmark

29. Friends of the Earth El Salvador – CESTA
30. Friends of the Earth Mexico – Otros Mundos
31. Friends of the Earth Costa Rica – Coecoceiba
32. Friends of the Earth Argentina – Tierra Nativa
33. Friends of the Earth Uruguay – REDES
34. Friends of the Earth Colombia – CENSAT
35. Friends of the Earth Ecuador - UDAPT
36. Friends of the Earth Tanzania
37. Friends of the Earth Paraguay – sobrevivencia
38. Friends of the Earth Spain
39. Friends of the Earth Liberia
40. Friends of the Earth Malta
41. Friends of the Earth Brazil
42. Friends of the Earth Hungary

Copy to: Dr. Georges Kratzenberg, Honorary Consul of Ecuador in Luxembourg