BACK TO THE SHORT LETTER

To the Honorable Justices of the Constitutional (Supreme) Court of Ecuador:

We, concerned citizens of the world, write to express our profound interest in a decision of global consequence that stands before your court. Your ruling in the appeal of a lower court decision to dismiss a lawsuit brought by Indigenous and human rights organizations for damages caused by Ecuador's oil spill on April 7, 2020 will directly impact the lives of 27,000 Indigenous people living along the banks of the Coca and Napo rivers. Additionally, with this ruling, you have the opportunity to uphold the Rights of Nature and to protect the Amazon rainforest, which every human being on earth depends on to maintain a stable and life-sustaining climate.

We therefore submit this *Amicus Curiae* or "friends of the court" letter to urge a just and lawful outcome. At least 15,800 barrels (664,000 gallons) of crude oil and other pollutants spilled into Amazon rivers and tributaries as a result of the rupture of the Trans-Ecuadorian Oil Pipeline System (SOTE) and the Heavy Crude Oil Pipeline (OCP), and yet the Ecuadorian government and oil companies have thus far evaded adequate remediation, remedies for affected peoples, and precautions to avoid another spill. This was an entirely avoidable catastrophe— one that is likely to occur again if justice is not served in this appeal.

Evidence shows that the government and oil companies were well-advised that increased soil erosion along the riverbanks could cause a pipeline rupture. There was no alert system in place to warn downriver communities about contamination from the spill, nor were they consulted on the companies' remediation plan. In the middle of a global pandemic and national lockdown, affected communities were provided with woefully inadequate emergency food and water rations, and five months later there is still visible contamination along the riverbanks.

The Ecuadorian Constitution, at the time of its formation, became a beacon of hope and model for countries around the world for its recognition of the Rights of Nature and pioneering advancements of the rights of Indigenous peoples. However, in this appeal before you, such important tenets of Ecuadorian democracy are at stake, as is the reputation of the Ecuadorian court system to uphold the constitutional rights of its citizens over the impunity of private interests.

Ecuador has a long legacy of oil industry impunity, and we are concerned that corporate influence and systemic racism will obstruct justice for Indigenous peoples and their ability to protect their forests. As plaintiff and Kichwa leader, Veronica Grefa, put it after the lower court's ruling, "Once again, we have felt the injustice on the part of the judiciary, since we clearly see that the Ecuadorian government cares more about its income than about the health of its citizens, at least us Kichwas."

In a time of climate crisis, crippling biodiversity and species loss, and growing unrest due to environmental racism and systemic discrimination against Indigenous people and People of Color, this Appeals Court has a tremendous opportunity to set an example in Ecuador and worldwide. What happens in the Amazon matters everywhere, and the world will be watching for the outcome of this case.

We put our faith in your integrity as arbiters of justice. We ask you, Honorable Justices, to ensure that the Constitution is upheld and Kichwa plaintiffs are guaranteed their rights before the law. We respectfully recommend that this Court reverse the lower court's ruling and obligate the government and oil companies to take immediate action to repair the damages caused and guarantee that such rights violations will not be repeated.

OIL SPILL LAWSUIT APPEAL

Submit this letter to support Kichwa communities' appeal for justice

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425 Bush Street,
Suite 300 San Francisco,
CA 94108 United States.
info@amazonfrontlines.org

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