

Indigenous People and Oil Production In Ecuador's Oriente

by Brandon Yoder

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In the late 1960's, the multinational, American based corporation Texaco began drilling for petroleum in the Oriente region of Ecuador. Due to the lack of oversight from the Ecuadorian government over the ensuing twenty years, the careless drilling practices of Texaco went unchecked and resulted in over sixteen billion gallons of toxic waste being dumped into Ecuadorian environment (Jezic, 1). While minimal efforts have been taken on Texaco's behalf to clean up the contaminated areas, Texaco is not solely to blame. The Ecuadorian government, in hopes of boosting its economy, allowed Texaco to go unmonitored and thus violated the constitutional rights to a healthy environment for the indigenous peoples living in the Oriente. Although more recent efforts on behalf of the indigenous peoples and citizens of Ecuador have involved an international lawsuit against Texaco in the United States, the human rights of the indigenous people residing in the Oriente have been violated. The case against Texaco has the potential to set a legal precedent concerning the human rights of indigenous peoples, particularly in preventing the reoccurrence of similar oil exploitation in the future.

The goal of this paper is to analyze the history of contamination in Ecuador and the subsequent effects on the environment and the indigenous peoples in the Oriente region. The primary discussion will focus on the history and role of Texaco and other drilling companies such as Petroecuador, including an examination of the Ecuadorian government's desire to boost the economy through petroleum extraction. An analysis of the oil contamination, how it has destroyed the environment, and consequently violated the human rights and health of the indigenous people in the Oriente will follow. As inhabitants of the Oriente region, the indigenous have been greatly endangered by the mining of petroleum and it is the aim of the third section of the paper to study how the lifestyle and integrity of the indigenous peoples have been affected, including the violations of their land rights. The last segment of the paper is to be devoted to the Texaco court case, and the hopes that it will create a precedent with which to hold multinational corporations accountable for their actions in foreign countries.

While American companies often bring the hopes of economic prosperity to foreign countries, this paper will illustrate how the damaging actions committed by one corporation far outweighed any possible economical expansion gained. In the concluding remarks of this paper I hope to briefly recount how the developing trend of globalization is often damaging on a community level and there is an obvious need to monitor the actions of the companies involved.

History of Petroleum Mining

The Oriente region of Ecuador consists of 13 million hectares of verdant tropical rainforest (CESR, 5). This region is one of the most biologically diverse areas in the world and is home to eight different indigenous tribes. However, in 1967 the American corporation Texaco discovered that beneath the rainforest there was a vast, rich oil field. This discovery was the first step in Texaco's twenty-year reign that would serve to completely devastate and reshape the environment of the Oriente region. While the majority of the land in the Oriente was believed to belong to the indigenous tribes occupying them, the government of Ecuador claimed to have subterranean rights to the land, which included the oil fields. Declaring that these subterranean rights gave them the privilege to extract any resources found beneath the surface, the Ecuadorian government began to draw up a contract with Texaco for oil extraction in the Oriente without even the slightest inclusion of indigenous interests.

The contract signed with Ecuador gave Texaco permission to begin exploration and

mining in the Oriente. As the Oriente was a highly underdeveloped region, Texaco bore the responsibility of developing the infrastructure and vast road networks necessary to successfully extract petroleum. Besides destroying hundreds of thousands of acres in the process, the road system that Texaco developed also triggered a flood of settlers into what was a relatively uninhabited region. The wave of settlers not only destroyed countless acres of rainforest in the process of clearing land for farms, but they also displaced the indigenous people who had been occupying the region for hundreds of years. While Texaco was solely responsible for the initial invasion of the Oriente, more oil companies soon followed including Ecuador's own CEPE, later renamed Petroecuador. Although Texaco was not alone in the Oriente, they remained the main power until 1990 when they began to turn their facilities over to Petroecuador (CESR, 5). In 1992, Texaco's contract with Ecuadorian government officially ended and since that time Petroecuador has controlled approximately 90% of oil production in the Oriente (CESR, 5).

Texaco's contamination of the Ecuadorian environment was resultant of second-rate environmental safety practices and the use of substandard technology in drilling. The contamination of Ecuador's environment was so severe that other countries have sent research teams to Ecuador to study what not to do when extracting petroleum from their rainforest regions. Texaco's process for mining petroleum can be broken down into three main stages, each of which is responsible for greatly polluting the environment of the Oriente and impacting the indigenous people. The first stage of development that Texaco employs is the research and exploration stage. This segment of oil development involves thousands of miles of trail clearing, followed by seismic detonations at possible sites. These seismic detonations cause widespread land erosion and wildlife dispersion, which serves as a food source for the indigenous inhabitants of the Oriente. As Texaco begins its exploratory drilling it is not uncommon for each exploratory well to release over four thousand cubic meters of drilling waste, a toxic mixture of oil, natural gas, and water saturated with metal and mineral deposits, into the environment (CESR, 6). This drilling waste is typically pumped into nearby waste pits which are most often unlined and overflow onto the surroundings.

The second phase of mining involves the extraction of heavy crude and the production of refined petroleum. After permanent wells are deployed, the extraction of crude begins. Following the extrication of the heavy crude from the ground it is then pumped to refining stations which are responsible for separating the usable product from the toxins, which are cast aside as waste. As the daily total of toxic waste produced can reach mind-boggling sums of 4.3 million gallons (CESR, 6), the fact that it all eventually reaches the environment is horrifying. On several occasions, Texaco even duped the Ecuadorian government into believing that spreading heavy crude onto the roads would help to keep down dust (Jezic, 5), a process which contaminated surrounding agricultural fields as well as exposed the barefoot indigenous people to direct contact with heavy crude.

The final stage of petroleum production is the transportation via pipeline of the refined product from the mines within the Oriente to barreling stations. The poor construction of the pipelines, which were complicated further by less than adequate maintenance has led the pipelines to also become a source of appalling contamination. Since the late 1980's, there have been thirty reported cases of spills along the Trans-Ecuadorian pipeline. Although the spills are mainly caused by negligent maintenance, there have even been cases of the pipeline being sabotaged by outside forces. While the contamination figures of the pipeline system are not as extensive as those from the actual mining procedures, the number of gallons of oil spilt is believed to be close to seventeen million (CESR, 6), seven million gallons more than the Exxon-Valdez spill. Following a realization by the Ecuadorian government, new regulations have been instituted to curb the lax practices of the oil companies. Despite the establishment of these new regulations, they are poorly monitored and Petroecuador's refusal to upgrade Texaco's equipment has left the opportunity for contamination to continue.

Despite the knowledge of contamination in the Oriente, the Ecuadorian government has continuously advocated the mining of petroleum in the Oriente with absolute disregard to the interests of the indigenous peoples. There is a prevailing hope that oil production will help stabilize the economy and eventually be a key component in the reduction of the national debt. Notwithstanding the fact that the national debt has risen from two hundred million dollars in 1970 to over sixteen billion in 1998 (Jezic, 2), the Ecuadorian government continuously favors the interests of foreign companies over its own indigenous citizens. This dependence on foreign investors leaves Ecuador's economy vulnerable to the fluctuating prices of oil, which is responsible for forty percent of the national income yearly (Jezic, 2). With such a large portion of their economy based upon such a fluctuating industry, the results have been fairly disastrous for the people and the poverty rate in Ecuador. The poverty rate, which was at an overwhelming level of fifty percent in 1975,

reached the appalling rate of sixty-five percent in 1992 (CESR, 8). This influx is due largely to the unproportioned reliance on the industry of oil development, which Ecuador is still seeking as a form of investment. Until recently, the Ecuadorian government was still drawing in foreign investors through the lack of environmental regulations concerning the mining of petroleum. Without a set of well-monitored regulations concerning the extraction of oil in the Oriente, Ecuador is leaving itself open to the possibility of continued environmental destruction and human rights violations.

Pollution and Human Rights

In 1972 the United Nations General Assembly declared that all men have “the fundamental right to freedom, equality, and adequate conditions of life in an environment of a quality that permits a life of dignity and well being” (CESR, 2). While the Ecuadorian government has been in direct violation of this statement for over twenty years with regards to the rights of the indigenous, UN declarations have little means of enforcement. Moving closer to home though, the Ecuadorian government is in direct violation article 19.2 of its own constitution which discloses that all citizens have the guaranteed “right to live an environment free of contamination” (CESR, 3). What is important to recognize from these two proclamations is that the definition of human rights and citizen’s rights has grown to include the maintenance of environmental quality. This fact is crucial in the mounting of lawsuits against oil companies, for it is an attempt to not only hold the companies accountable for polluting the environment, but also the violation of the fundamental human rights of the indigenous people residing in the Oriente.

In spite of the fact that numerous pieces of legislation forthrightly state that the Ecuadorian government is directly responsible for protecting the human rights of the indigenous peoples, environmental devastation has been widespread and has thus affected the tribes inhabiting the Oriente. Although the primary role of Ecuador in international affairs is to protect the interests of its own citizens, Ecuador’s government can not be held entirely responsible for its actions. As the Human Rights movement continues to develop, nations are beginning to be held accountable under international standards; however the role of multinational corporations should not be overlooked. An examination of financial figures shows that Texaco’s yearly earnings are approximately forty billion dollars, while Ecuador’s gross domestic product is a mere twelve billion. Due to the fact that it is a country that direly needs outside investors, Ecuador’s most apparent choice would be to support Texaco and other powerful multinational corporations. While investments from these corporations can be very helpful, as in the case of Texaco, which in the early 1970’s stepped in to develop the oil mines Ecuador did not have the capital to do itself, the results can also be disastrous. Texaco’s actions, while appearing helpful at first, have created unreconcilable disasters, which Texaco blames on the weak environmental laws of Ecuador. The Ecuadorian government can hardly afford to strengthen their laws since oil companies have threatened withdrawal of their investments if the government should select this option. Ecuador’s dependence on foreign investors has created a financial predicament for the Ecuadorian government, which is progressing to the point where a choice will have to be made between saving the economy or saving the Oriente and its indigenous inhabitants.

Regardless of economic pressures that may influence the Ecuador’s government, there is a general consensus that the government must perform three minimum duties to ensure that human rights of the indigenous peoples in the Oriente are not violated. The first of these duties is the Ecuadorian government’s responsibility to provide a safe environment for the indigenous peoples living in the Oriente. This responsibility includes taking all of the necessary precautions to avoid contaminating the environment in a manner that endangers the health and well being of the inhabitants. The existence of such figures as the fact that 16.8 million gallons of toxic waste have been spilt directly in the bodies of water in the Oriente (Jezic, 1), clearly illustrates that the Ecuadorian government has not met the requirements of this duty to date. Permitting toxic waste to be spilt directly into the water table not only kills aquatic wildlife, but it also renders the water undrinkable. The indigenous people residing in the contaminated region rely upon the water as a means of life, and taking away that opportunity is a direct infringement on their ability to live a life of well being and thus breaches their human rights.

The second of the proposed minimum duties of the Ecuadorian government, is that the government must regulate the actions and practices of foreign and domestic oil companies in order to guarantee that the environment is not being altered in a way that jeopardizes the health of the indigenous peoples. As evidence to further support this

statement, the Inter-American Court of Human Rights ruled in 1985 that a government which “allows private persons or groups to act freely and with impunity” (CESR, 3) is violating the rights of its citizens. With regards to the dictation by the Inter-American Court of Human Rights, it is evident that this is a practice that the Ecuadorian government is guilty of committing. As described earlier, the Ecuadorian government has been very cautious in increasing the strictness of its environmental regulations, for fear that foreign companies will withdrawal their investments in the Ecuadorian economy. Therefore we can say with resolve that the government of Ecuador has jeopardized the human rights of the indigenous peoples of the Oriente by allowing private businesses to act without restraint.

The final requirement that the Ecuadorian government must meet in order to show that it has even the most minimal concern for the indigenous people is that it must keep them well informed of the happenings around them. This aspect of the government’s minimum duties is significant because it is an effort to keep the citizens aware of the oil development process and the possible threat of contamination. The desired documentation is also essential because it equips the indigenous people with solid evidence to use in mounting suits against the government and oil companies. Once again this is a duty the Ecuadorian government was negligent of for numerous years. During the initial years of oil development in the Oriente, the inhabitants of the region were unaware of the connection between growing health problems and the oil being extracted by Texaco. It wasn’t until a decade later that an awareness was gained about the rampant pollution Texaco was unleashing into the environment. If there had been an effort by the government to make information about dangerous activities available to the public there would have been an opportunity for the inhabitants of the Oriente to avoid direct contact with the oil and other forms of self-contamination.

The conception of these three minimum duties is interesting because it is a call to the Ecuadorian government to protect the human rights of the indigenous people and other citizens by monitoring the economic practices of businesses in the country. When the realization about the environmental contamination initially occurred, there was not a connection between the pollution and the infringement upon human rights. The recognition of an affiliation between quality of environment and the ability to live a life of well being is important because it censures the practices of the oil companies for not only ruining the environment but also ruining the quality of life for the inhabitants of the Oriente. The indigenous tribes residing within the Oriente are perhaps most impacted by the contamination because of their unique relationship with the environment. Therefore when stricter regulations of oil mining procedures in the Oriente are called for it is not merely an effort to preserve the environment for future generations, but to defend the right to a healthy life for indigenous peoples of the Oriente as well.

A study published by The Center for Economic and Social Rights in the Spring of 1994 was crucial to situation in Ecuador because it helped to establish the facts that “human exposure to both crude oil and its toxic constituents can adversely affect health, from short-term, local effects to long-term, life threatening diseases” (CESR, 12). Further aspects of the study examined the ways in which the various forms of petroleum are leaked into the environment and consequently are responsible for health problems of inhabitants in the surrounding areas. It was determined that the heavier components of crude are able to seep down into the earth to repetitively contaminate the water table, while the lighter components are able to evaporate and therefore pollute miles of the surrounding area in the form of rain. The many ways in which oil is able to extend out into the surrounding regions leaves nearly all the indigenous peoples in the Oriente susceptible to exposure of health-jeopardizing toxins.

The possible effects of contact with crude oil range from the skin rashes up to documented cases of cancer, neurological and reproductive complications (Jezic, 4). With such a wide range of possible health afflictions, the CESR set out to determine the possible ways in which humans can be exposed to the toxins of oil (CESR, 12-13). Direct absorption into the skin through immediate contact with crude oil is the most apparent way in which the indigenous inhabitants of the Oriente can be affected by the pollution of the environment. In the examination of the potential risks of open contact with crude oil, it was determined that most topical ailments included a loss of skin, dryness and cracking of skin, as well as change in skin pigmentation and cancer. One of most threatening forms of contamination was caused by Texaco supposed attempt to control dust by spreading heavy crude onto the roadways, which the indigenous people walk upon barefoot. With this example, there is a clear illustration of Texaco’s responsibility in threatening the health and

human rights of the indigenous people inhabiting the areas surrounding the extraction sites.

Two other methods in which crude oil is capable of contaminating the indigenous peoples of the Oriente include the consumption of tainted food or liquids and the inhalation of oil residing on dust or soot particles in the air. In view of the fact that the contamination in the Oriente is so widespread, the possibility of ingesting food or water polluted by oil is outrageously high. Once ingested, the toxins from the crude are capable of spreading themselves throughout the victim's body, opening up the whole body to the risk of cancer. It has also been documented that the drinking of tainted water can lead to esophageal cancer. Texaco's lackadaisical practices concerning the containment of toxic waste in unlined pits has polluted water everywhere, which has not only adversely affected potable water, but also the water used for swimming, bathing and fishing. The inhalation of oil via dust and soot is perpetuated by the burning of toxic waste pits, which is a second-rate practice for cleaning up contaminated water. Once inhaled, the toxins residing on the dust and soot can lead to detrimental reactions on the nervous and respiratory systems. Regardless of the method of contraction of the toxins, a correlation has been established between exposure to oil pollution was and low birth weights for indigenous infants. There have also been examples of pregnant women experiencing spontaneous abortions due to contamination (Jezic, 4). The majority of indigenous children are especially susceptible to the effects of crude oil exposure and developing theories propose there is an increased risk of childhood cancer, (CESR, 13) as well as rising child mortality rate (CESR, 9), in the contaminated regions of the Oriente.

The health problems that the indigenous people of the Oriente have incurred have been the direct result of the Ecuadorian government's failure to regulate the extraction procedures of oil companies operating within the Oriente. The health risks that the indigenous people have been exposed to have not only affected their ability to live a healthy life but have affected the quality of the environment surrounding them. The interaction that the indigenous people have with the environment is uniquely important because of their great dependence on the environment for the sustenance. Thus we can see that the diminishing environmental quality of indigenous lands in the Oriente is jeopardizing their ability live their life without imposition. In closing this section on the examination of pollution and its impact on the lives of the indigenous peoples, it is important to note that the inclusion of environmental quality into definitions of human rights requires that the Ecuadorian government accept accountability for upholding the rights of the indigenous people as well as protecting their overall health.

The Indigenous Peoples of the Oriente

In Ecuador, the indigenous population composes 45% of the total national population of eleven million, and approximately 250,000 indigenous people live in the Oriente region (CESR, 11). Within the Oriente, eight various tribes have been recognized, which include the Cofan, the Huaorani, the Quichua, the Secoya, the Shiwiar, the Shuar, and the Siona. Each one of these tribes holds a unique relationship with the rainforest, which was severely damaged by Texaco's and the other oil companies' widespread contamination of the Oriente. This relationship goes beyond the immediate needs of subsistence, for the spiritual beliefs of the indigenous peoples are also directly tied to the resources the rainforest provides. The tribes in the Oriente also view the sprouting and growth cycle of vegetal life as a parallel to the birth and maturation cycle of their young (Kimmerling, 70), which only further illustrates the importance of the rainforest to the indigenous people. The impact that the pollution has had on the indigenous community has brought together the tribes and enlisted the support of international organizations in a unified effort to defend the rights of the indigenous people and to end the continued contamination of their environment.

Out of all of the negative aspects that have come about as a result of oil production in the Oriente, the one that has had the greatest impact on the indigenous people, outside of the pollution, has been the encroachment of missionaries into their daily lives. Beginning in 1967 with Texaco's discovery of the Oriente oil field, oil companies have constantly used missionaries as a method of quelling indigenous animosity and relocating the indigenous peoples from possible drilling sites. The missionaries used in these procedures have drastically reshaped the indigenous communities and are responsible for altering the behavioral practices that once served as a way of life for the indigenous peoples. Although Rachel Saint's establishment of a permanent indigenous community precedes Texaco's oil exploration (Kimmerling, 76), her role in the early years of Texaco's oil production was momentous because of her success in aiding the relocation of the indigenous people.

When Texaco first began to move into the Oriente, it was the Huaorani tribe that presented the greatest obstacle to Texaco's efforts. Various attempts to bribe the Huaorani with air dropped packages containing metal goods and food supplies were unsuccessful and Texaco initiated the use of violence against the indigenous peoples (Kimmerling, 78). The violent outbreaks with Texaco scared many of the Huaorani, who in fear relocated to Tihueno, Saint's permanent indigenous community. The migration of the Huaorani to Tihueno had vast impacts on the lifestyle of people who were primarily nomadic hunters and gatherers. For individuals who only knew eighty people at most during their lifetime, the population of five hundred in Tihueno was unprecedented. The Huaorani residing in Tihueno were unable to hunt on the grounds surrounding the community on account of cultural regulations (Kimmerling, 81), and a tribe which had previously never been incapable of supporting itself experienced its first encounter with food shortages. The lands surrounding Tihueno were incapable of producing the required provisions, and the Huaorani were forced to accept Saint as a leader and thus depend on outside supplies for subsistence. Saint's efforts to "civilize" the Huaorani people living in Tihueno served to further alter the indigenous lifestyles as they were educated on the practices on monogamy and Christianity. In conjunction with this education the Huaorani were also discouraged from chanting, dancing, and performing religious ceremonies and other rituals.

The impact that the missionaries had on the Huaorani people completely revolutionized life as they knew it. Under the tutelage of Rachel Saint and other missionaries, the Huaorani were encouraged to reject the sinful ways of their cultural heritage and embrace the ideologies of Christianity. Gender roles were increasingly advocated and women and men began to take roles as farmers and hunters, respectively (Kimmerling, 83). The healing practices of the shamans were condemned in the name of modern medicine, a criticism that had such great impact that only one Huaorani shaman remains to date (Kimmerling, 83). As continuous waves of epidemics struck the Huaorani, they were actually held accountable for the payments required for the necessary medicine. The result was the Huaorani people's introduction to a monetary system and, because of their low socioeconomic status, widespread inability to treat disease. When the missionaries eventually attempted to wean the Huaorani off of outside support, the damage had already been committed and the Huaorani residing in Tihueno were no longer willing to return to their former lifestyle. As we can see through the illustrated cultural changes, the Texaco prompted introduction of missionaries into the daily lives of the Huaorani completely transformed a once nomadic tribe of hunters and gatherers, capable of life in the rainforest, into a Christian community, dependent upon outside sources for support.

After missionaries were successful in abetting Texaco's attempts to overcome the obstacles that the indigenous people posed, further impact on the indigenous peoples continued. While the displacement and relocation of the tribes was occurring, Texaco lost no time and began construction on the Via Auca, a roadway that extends sixty miles deep into the center of traditional indigenous lands (Kimmerling, 85). The Via Auca was responsible for the deforestation of 2.5 million acres of rainforest and a government encouraged flood of settlers. The invasion of settlers and the pollution from oil production were both liable for the degradation of the rainforest, which brutally impacted the indigenous peoples who had not migrated to permanent indigenous communities. The surrounding lands that transcend the length of the Via Auca have been severely polluted, in addition to being colonized and deforested. The settlers inhabiting the land along the Via Auca have often held very tense relations with the Huaorani and other indigenous tribes, a tension which infringes on the indigenous peoples' ability to live a life in accordance with longstanding cultural standards. Texaco's practices in the areas encircling the Via Auca have contaminated the environment so harshly that the indigenous people residing these surrounding areas are no longer able to live a healthy life. As was established earlier, this is a direct infringement on the human rights, but moreover it completely destroys the indigenous peoples' ability to live their lives without the constant assistance from non-indigenous people. In retrospect, the production of oil within the Oriente has had such great impact on the indigenous inhabitants that their complete way of life, including their social, religious, and cultural practices, have been altered as a result of widespread contamination, settler migration, and missionary intervention.

Another manner in which the production of oil has affected the life of the indigenous inhabitants of the Oriente is the vast reduction of the lands that have been traditionally recognized as indigenous. As of 1990 the plot of land reserved for the indigenous peoples of the Oriente totaled 675,000 hectares, which is little more than a quarter of two million hectares recognized as the traditional territory of their ancestors (Kimmerling, 85). This restriction on the size of indigenous lands leaves the remaining lands of the Oriente open to further colonization and oil production. Even the lands demarcated by indigenous ownership are susceptible to further contamination due to the government's claims to

subsurface rights. These supposed subsurface rights have been crucial to the petroleum exploitation within the Cuyabeno Reserve, which was declared a nationally protected area in 1979 (CESR, 28). Petroecuador began trespassing in the reserve as early as the 1980's, but in 1993 full production commenced within the boundaries of the national reserve. The constant violation of indigenous land rights has served to undermine any efforts that the indigenous people of the Oriente have made to distance themselves from the extensive environmental contamination and destruction that has been caused by Texaco, Petroecuador, and other oil companies.

The desire for complete legal land rights, in conjunction with protection of the environment and respect for their cultures and traditions are the three main goals that the indigenous people of the Oriente have fought for (CESR, 11). Historically their attempts to procure these three demands have been met with little feedback and false promises, but in 1990, a well-organized and precisely exercised indigenous protest brought Ecuador to a screeching halt and gained the indigenous people widespread recognition. The shocking Levantamiento of 1990 forced the government to acknowledge the situation and consequently negotiate with indigenous leaders. One of the successes brought about by the Levantamiento was the constitutional recognition of the collective rights for the indigenous tribes of Ecuador (CESR, 3). In the years following the uprising, the indigenous people of Ecuador have united with foreign support to undertake a counterattack against the companies that have violated their human rights and destroyed their environment during the past decades. No where can this effort be seen more prominently than with the class action suit brought against the multinational, American based corporation Texaco.

The Texaco Case

On November 3, 1993 the case *Maria Aguinda et al. vs. Texaco* was brought to the district courts of New York as a class action suit on behalf of approximately 30,000 residents of the Oriente region of Ecuador. This case was groundbreaking because it not only represents the first attempt made by the indigenous tribes to hold Texaco accountable in the US for damages in the Oriente, but it also represents the first ever attempt to hold a multinational corporation accountable for its actions in foreign countries. The indigenous peoples of the Oriente are crucial to this case because the suit contains accusations that Texaco is guilty of violating three internationally recognized human rights of the indigenous tribes. These violations include the violation of the right to a healthy environment, the right to protection from cultural genocide, and the right to protection from racial and ethnic discrimination. The aspirations of the suit include the hopeful acquisition of 1.5 billion dollars for retributions, the mandatory cleanup of the Oriente, and the upgrading of oil production machinery left in Ecuador.

The suit against Texaco represents the culmination of the international efforts to raise awareness concerning the violation of the indigenous peoples' human rights and the destruction of the rainforest. In the early 1990's, international organizations such as the Center for Economic and Social Rights and the Rainforest Action Network worked in conjunction with non-government organizations in Ecuador to raise awareness about the situation of the Amazon and its indigenous inhabitants. In 1991 the situation was brought to the mainstream international community with the publishing of Judith Kimmerling's book, *Amazon Crude*, which created global pressure on the Ecuadorian government to defend the rights of its citizens. In another example of the indigenous peoples' ability to organize a powerful event, Accion Ecologica, CONIAE, and CONFENIAE coordinated "Texaco Week" in July of 1993 (Jezic, 9). Attendees of this event visited contamination sites that Texaco was responsible for, met with affected indigenous inhabitants of the Oriente, and attended seminars on oil exploitation in Quito. The result was a strongly unified international scrutinization of Texaco's practices that would perfectly set the stage for the court case occurring in November of the same year.

The indigenous peoples of the Oriente were forced to take their trial to the United States in November of 1993 because of the inability to acquire justice within Ecuador's court system. Because of their key roles in Ecuador's economy, foreign companies are encouraged to mine petroleum in the Oriente, often with permission to disregard the environmental norms present in legislature. An attempt to hold companies accountable for pollution and human rights violations would discourage investment by foreign companies; therefore the possibility of achieving justice is very small. Further restrictions posed by the Ecuadorian courts include the forbiddance of class action suits, the lack of ability to try foreigners, the denial of calling expert witnesses, and the extensive corruption of the judges. The justice system in Ecuador is so depraved that even members of the Ecuadorian

government have acknowledged that the attainment of justice is not possible in Ecuador, and in turn have supported the suit brought forth in the US.

In closing discussion on the Texaco court case it is essential to recognize the suit as the premier effort to hold a multinational corporation accountable for its actions in a foreign country. The case is extremely important to the indigenous communities of the Oriente because it holds the possibility of attaining compensation for the long-term infringement that Texaco and other oil companies were responsible for. Throughout the history of oil production in the Oriente, the indigenous tribes have been continuously driven from their lands in the name of economic expansion, and the time has been too long in coming when the guilty parties should be held accountable for their actions. While the oil production companies are directly responsible for the human rights violations and environmental contamination, the responsibility should be shared by the Ecuadorian government for its negligence in protecting its indigenous citizens and their right to a life of quality in a healthy environment. The Ecuadorian government's actions regarding the interests of the indigenous population have been deplorable, as impartiality is unattainable in Ecuador, all hopes for compensation and justice rest solely in the class action suit currently in trial in the United States.

Hold Multinational Corporations Accountable

In an overview of the widespread contamination and destruction of the rainforests in the Oriente, it can be stated that the loosely regulated practices of the petroleum mining companies have drastically impacted the indigenous tribes residing within the affected areas. It is my personal opinion that the pollution and the negative effects on the indigenous tribes of the Oriente have been the sole result of the United States not regulating the actions of its multinational corporations in foreign countries. The crowning achievement of the international effort to gain justice for the indigenous peoples in the Oriente will hopefully be the victory over Texaco in the US court case. This will not only provide enough funding to clean up and prevent pollution in the Amazon, but will also serve as a lasting reminder to negligent oil companies operating in poorly regulated foreign countries. Anything short of a victory in the US court cases leaves the opportunity open for further contamination in any country in the world.

It must be remembered that the substandard practices that Texaco performed in the Oriente have completely destroyed indigenous peoples' ability to live a healthy life in compliance with their traditional cultural standards. The extensive pollution of the Oriente is also responsible for violating the human rights of the indigenous people and as the suit against Texaco attests, unregulated exposure to the known toxins contained within the waste products of oil production is a form of attempted genocide against the indigenous inhabitants of the contaminated areas. Texaco, Petroecuador, and the other companies operating in the Oriente are culpable of completely reshaping the lives and behavioral practices of the indigenous tribes. The people of the Oriente are no longer capable of living in peace with the rainforest, for they must constantly endure the hardships that have been laid upon them. In order to prevent the future reoccurrence of such drastically crippling practices and secure the safety of the indigenous tribes of the world, multinational corporations must be held accountable for their actions abroad, for if they aren't, nothing has been learned from the travesty that the indigenous people of the Oriente have endured.