

-----Original Message-----

From: Dalheim, Stu [<mailto:Stu.Dalheim@Calvert.com>]

Sent: Wednesday, November 26, 2003 11:24 AM

To: Indigenous Peoples Committee, CSIF

Subject: FW: Notes from Conference Call on ChevronTexaco in Ecuador and filing shareholder resolution...

To the Indigenous Peoples Committee:

FYI

Calvert participated in a phone call on ChevronTexaco and impacts to indigenous peoples in Ecuador.

The call was organized by the NGO Amazon Watch.

Calvert does not invest in ChevronTexaco, but we are interested in the issue and will continue to follow developments. Calvert Social Research Department is considering options to support the campaign as non-shareholders.

Gary Brouse was also on the call and asked me to forward this information along to you.

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-----Original Message-----

From: Leila Salazar [<mailto:leila@amazonwatch.org>]

Sent: Tuesday, November 25, 2003 4:56 PM

To: Shareholder/SRI Contacts; mls@n-h-i.org; anne.blackshaw@sen.ca.gov;

annabella\_blue@yahoo.com; rrosoff@igc.org; zwhitcomb@aiousa.org;

folagbaj@aiousa.org

Cc: atossa soltani; shannon wright; kevin koenig; steven donziger;

zquante@igc.org

Subject: Notes from Conference Call on ChevronTexaco in Ecuador and

filing shareholder resolution...

Thank you to those of you who participated in the briefing and discussion on the ChevronTexaco Lawsuit for Pollution in the Ecuadorian Amazon with attorney Steven Donziger, Human Rights Defender Bianca Jagger and Amazon Watch. Thank you for your participation and your feedback. We look forward to working together to hold ChevronTexaco accountable.

(For those of you not able to participate, below are some points of discussion and next steps.)

11-25-03 Conference Call on ChevronTexaco Resolution Notes:

Participants:

Amazon Watch staff (Atossa Soltani and Leila Salazar)  
Steven Donziger, Attorney for people affected by ChevronTexaco in Ecuador  
Bianca Jagger, International Human Rights Defender  
Shelley Alpern, Trillium Investments  
Gary Browse, ICCR  
Stu Dalheim, Calvert Asset Management Company  
Michelle Leighton, Natural Heritage Institute & CA Right to Know Campaign  
Zafra Whitcomb, Business & Human Rights :: Amnesty International USA  
Linda Roberts, Rockefeller and Company  
Jennifer Coulson, Ethical Funds, Inc.  
Allison B, Scudder Investments (Deutsche Asset Management)

-Amazon Watch GOALS for filing resolution by the Dec 17th deadline:

1. To establish an avenue to be present at this years shareholder meeting
2. To educate shareholders and investors
3. To build internal pressure at ChevronTexaco

-AW is interested in filing a resolution specifically focusing on ChevronTexaco's toxic legacy in the Ecuadorian Amazon. We need assistance in drafting this.

-Shelley Alpern, with Trillium Investments, expressed interest in filing the resolution. (Harrington Investments is interested in co-filing as well.) A conference call will be scheduled for next week to discuss the language of the resolution. \*If you are interested in participating, please let Leila Salazar know.

-AW is also interested in reaching out to Top Shareholders to Divest from the company (ie...Capital, Barclays, State Street, Fidelity), as well as the New York and California State Pension Funds.

-Michelle Leighton, with the Natural Heritage Institute and the California Right to Know Campaign, said that she would pass along information to Senator Figueroa and State Treasurer Phil Angelides.

-Stu Dalheim, with Calvert Asset Management Company, expressed interest in writing a letter of concern to Barclays.

-Gary Browse, with ICCR, expressed interest in sharing information on this campaign/case with a student organization at Columbia University interested in targeting ChevronTexaco. He also requested further information.

Many of you expressed interest in receiving more information. Background information on the case/campaign, Frequently Asked Questions, Newsclips and a video is on AmazonWatch's website at [www.amazonwatch.org](http://www.amazonwatch.org). You can also find more information at: [www.witness.org](http://www.witness.org) and [www.texacorainforest.org](http://www.texacorainforest.org)

If you would like us to send you printed information, press clips, photos and video documentation, please be sure to send your address to [leila@amazonwatch.org](mailto:leila@amazonwatch.org)

Thanks again for your participation and interest!

Have a happy thanksgiving!

Sincerely,

Amazon Watch Staff  
Atossa Soltani, Founder and Executive Director  
Shannon Wright, Associate Director  
Leila Salazar, Clean Up Ecuador Organizer  
Kevin Koenig, Amazon Oil Campaigner

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Amazon Watch works with indigenous and environmental organizations in the Amazon Basin to defend the environment and advance indigenous peoples' rights in the face of large-scale industrial development-oil & gas pipelines, power lines, roads, and other mega-projects.

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## The Environmental Trial of the Century

30,000 Ecuadorians v. ChevronTexaco Presents Test Case For New Model of Environmental Litigation

Judicial Inspections of 627 Toxic Waste Pits to  
Begin In Early December; Clean Up Costs At Least \$5 Billion

The case, *Aguinda v. ChevronTexaco*, is widely viewed as one of the most important globalization and environmental legal cases today. Brought by the Front for the Defense of the Amazon, a local group of indigenous and campesino communities in the affected region, the case is the first in Latin America where a multinational oil company has been forced by law to accept the jurisdiction of a host country court with ecological damages of great magnitude, and it has the potential to hold ChevronTexaco accountable for billions of dollars in clean-up costs.

The company is accused of systematically dumping millions of gallons of toxic wastewater directly into rivers, streams, and 627 unlined waste pits over the course of two decades of operations. Rates of cancer and disease in the affected areas are skyrocketing, and thousands of people are forced to drink contaminated water from natural sources (there is no running water) that contain levels of toxins hundreds of times greater than that permitted by the EPA. Several indigenous groups living in the region have seen their populations decimated. An environmental remediation expert, Dave Russell, says that the ecological devastation is second only to that of Chernobyl and would cost a minimum of \$5 billion to clean up. This is the first time an oil company is on trial in a Third World country with a court order from the U.S. forcing it to accept whatever judgment is imposed. The trial started Oct. 21 and the first phase ended Oct. 29. Judicial inspections of the toxic sites begin in early December, and a decision is expected within six to nine months.

Lawyers representing 30,000 indigenous and campesino people of the Ecuadorian rainforest originally filed the suit in 1993 as a class action in U.S. Federal Court, using the Alien Tort Claims Act as one of several bases for jurisdiction. The lawyers advanced the novel argument that the environmental contamination was so widespread, and the intent of the company to systematically dump so clear, that the actions of Texaco violated the law of nations. After ten years of legal maneuvering, the U.S. Court of Appeals for the Second Circuit ruled that Ecuador's judicial system should have primary jurisdiction for the case and that the Ecuadorian court's decision and potential judgment would be enforceable in the U.S. Because of the U.S. court's continued involvement, this is a unique multi-jurisdictional case that transcends national boundaries and which could serve as a new model for environmental litigation in the Developing World.