



### **Statement of Steven Donziger On End of His Chevron-funded Private Prosecution**

It is clear after five days of proceedings that I was never able to get a fair trial before Judge Preska. Her decisions to deny me a jury, terminate Zoom access, allow Chevron to essentially bankroll a private criminal prosecution, favor the private prosecutor on virtually all objections, interrupt my counsel repeatedly during his opening, and cut off cross-examination of the key Chevron witnesses effectively denied me my constitutional right to a fair trial. Although I wish to testify in my own defense, Judge Preska already has ruled I cannot even explain the many principled legal and ethical reasons – backed by case law in every judicial circuit in this country -- that I used to challenge what I believe to be Judge Kaplan's unlawful orders designed to protect Chevron from being held accountability for its decades-long environmental disaster in Ecuador. Testifying in my own defense is therefore impossible under the circumstances and would serve no meaningful purpose. As my lawyer Ron Kuby has said, there is simply no need to further legitimize this Chevron-funded trial any further. I am confident that we more than accomplished our two main objectives: first, we have laid down a solid record for appeal before the Second Circuit; and second, we have effectively highlighted the structural and procedural unfairness of the nation's first corporate prosecution designed to criminalize human rights lawyering.

I want to remind everyone that due to the work of our legal team Chevron remains liable for a \$9.5 billion pollution judgment to Indigenous peoples and farmer communities in Ecuador. Courts in Chevron's preferred forum of Ecuador (where the company accepted jurisdiction) found that from 1964 to 1992, Chevron deliberately dumped billions of gallons of cancer-causing oil waste onto Indigenous ancestral lands, causing an outbreak of cancer and decimating native cultures in a disaster that continues to this day. This decision has been affirmed for enforcement purposes by six appellate courts in Ecuador and Canada, including the Supreme Courts of both countries. The risk posed by this judgement to Chevron is precisely why the company has chosen to spend millions of dollars engaging in an unethical and I believe unconstitutional legal assault against me in this courthouse aided and abetted by its own private law firm. This legal assault was designed by Chevron and its dozens of law firms to deprive me of my

liberty and silence my effective human rights advocacy, rather than comply with the rule of law and compensate the Indigenous peoples it poisoned in Ecuador.

Finally, I want to thank the many people around the world – including 68 Nobel laureates, six U.S. Congresspersons, 34 human rights and environmental organizations, and literally thousands of lawyers and supporters – who have rallied to support me and the Ecuadorian communities as we continue to impose accountability on Chevron for its deliberate destruction of the precious Amazon rainforest. Regardless of how this particular Chevron-funded prosecution plays out in the coming months with our appeal, the broader case against Chevron will continue as there are numerous lawyers in other jurisdictions dedicated to ensuring that the Ecuador judgement is legally enforced.

I also want to thank my pro bono advocacy team for the extraordinary work in defending me. That includes Ron Kuby, Marty Garbus, Rhiya Trivedi, and Aaron Page as well my friends and advisors Rick Friedman, Paul Paz y Mino, Bill Twist, Jody Williams, Scott Badenoch, Zoe Littlepage, Lauren Regan, Jeannie Mirer, Jason Adkins, and Professors Charles Nesson and David Rosenberg of the Harvard Law School faculty. I also want to thank the many law interns and others too numerous to mention whose amazing contributions over the last several months have been and continue to be invaluable.

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