



February 8, 2012

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Dear Sirs,

We are representatives of civil-society organizations that have worked to educate the public and policymakers about the ways in which the non-transparent, unaccountable investor-state arbitration dispute resolution system – which was designed to adjudicate compensation for government expropriation of foreign investors' property – increasingly is being abused by corporations to undermine fundamental human rights and to evade public-interest regulation and accountability.

You currently sit as arbitrators in one such case, *Chevron Corp. v. Republic of Ecuador*, which concerns the historic environmental lawsuit in which more than 30,000 indigenous and other residents of the Ecuadorian Amazon are trying to make Chevron clean up the massive oil contamination at its former operations sites. Your arbitration could have a significant impact on whether these people will ever see a meaningful cleanup of their lands and on their fundamental rights to life, health, and judicial protection (specifically, determination of their claims and enforcement of any remedies ordered by the court).

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After having lost on the merits in Ecuadorian and U.S. courts, Chevron is now asking you, three attorneys sitting on an ad-hoc arbitral panel, to direct Ecuador's executive branch to interfere in its independent judiciary system by either blocking enforcement of the \$18 billion judgment now pending against Chevron or outright reversing it. We understand that you have scheduled a closed-door meeting of your arbitral panel February 11-12, 2012, at which you will consider Chevron's demands, but which neither the representatives of the affected Ecuadorians nor the general public will be allowed to attend.

We are interested in understanding your views as to why a private arbitral tribunal is an appropriate venue for any proceeding with such broad and serious potential impacts on public interests. We call on you to open the proceedings to the public and promptly disclose: (a) the amounts you have invoiced or been paid for your work to date in *Chevron Corp. v. Republic of Ecuador* and any other work related to this case, with copies of all invoices to date; (b) the hourly, daily or other rates you charge to the parties in this case; and (c) your best estimate of the amount you would expect to be paid if you decide to continue this proceeding into a full hearing on the merits. We also call on you to disclose the total amount of fees you have earned sitting on arbitral panels each year over the past 10 years and the amount you have earned representing claimants before panels of your colleagues during this period.

Finally, we call on you to disclose the nature and extent of any and all professional and social contacts with executives of and lawyers for Chevron, including Chevron's lead arbitration counsel, Doak Bishop of the King & Spalding law firm, and his associates.

Given the intense public interest that is guaranteed to arise from this issue, we request a prompt reply.

Sincerely,



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