

For Immediate Release

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GREENPEACE CHARGED WITH CRIMINAL VIOLATIONS OF ENVIRONMENTAL LAWS

On July 22, 2004, prosecutors in Alaska filed criminal charges against Greenpeace, Inc. for violating Alaska environmental laws with regard to the operation of a Greenpeace vessel, the *Arctic Sunrise*, in Alaskan waters. The criminal negligence charges against Greenpeace, as well as against the ship's captain and agent, allege that the *Arctic Sunrise* entered Alaskan waters without the required oil spill prevention plan and proof of financial responsibility should a spill occur. The vessel can carry 128,000 gallons of fuel and lubricants, and was sailing near Ketchikan to protest logging activities.

The charges allege that when originally notified of the violations on July 14, the ship's agent agreed that the vessel would remain safely anchored off shore pending compliance with state law; however, the ship left port that morning while still in violation. According to Commissioner Ernesta Ballard of Alaska's Department of Environment Conservation, the vessel pulled up anchor "to navigate remote, high risk, narrow Southeast waters in traditional subsistence use and environmentally sensitive areas during peak salmon runs, without care or consideration for the catastrophic impacts that would occur from failure to have the necessary resources to initiate a response."

While Greenpeace pled not guilty at the arraignment on August 6, its lawyer was quoted later admitting that Greenpeace erroneously believed that its oil spill plan issued by the Dutch Government was sufficient, that Greenpeace was late in providing the necessary documentation, and that environmental regulations are "getting to be more complicated in this day and age." However, Commissioner Ballard stated that "there is no such thing as a paperwork violation . . . compliance is not a mere technicality." The trial is scheduled for October 19, 2004. If convicted, Greenpeace could be fined up to \$200,000 and its agents could be fined up to \$10,000 and sentenced up to one year in jail.

"As one of the most activist environmental groups, Greenpeace is quick to call for prosecution of others for allegedly violating complicated environmental laws, and should accept responsibility for their own violations," said Paul Kamenar, Senior Executive Counsel of the Washington Legal Foundation.

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