

PRESS RELEASE

Sea Shepherd files criminal complaint against Japanese whaling fleet

Amsterdam, 19 March 2013 – For the second time, the Sea Shepherd Conservation Society has filed a criminal complaint with the Public Prosecutor's Office against skipper Tomoyuki Ogawa and the crew of the Nisshin Maru, the mother ship of the Japanese whaling fleet.

The Nisshin Maru is guilty of piracy, violence against the crew of a sea vessel and endangering safe passage, and the destruction of Sea Shepherd ships. All three counts are criminal acts according to the Dutch Penal Code.

Sea Shepherd has been protesting against Japanese illegal whaling for years, *inter alia* by keeping the Japanese ships on the move during the whaling season in the Antarctic, so that they cannot draw whales aboard. Both the Sea Shepherd mother ship, the *Steve Irwin*, and the *Bob Barker* sail under the Dutch flag.

On 20 and 25 February 2013, Sea Shepherd foiled an illegal fueling operation of the Nisshin Maru in protected waters near the Antarctic coast. The skipper of the Nisshin Maru then attacked the Sea Shepherd vessels by ramming the ships several times, using water cannons to flood the engine rooms, sabotaging the engines and throwing explosives in their direction from the Nisshin Maru.

As a result, the *Steve Irwin* and the *Bob Barker* were damaged and forced to send out a distress call. The Antarctic waters are some of the most perilous in the world and the nearest safe haven is thousands of nautical miles away. The actions of the Nisshin Maru skipper not only violate every rule of good seamanship, but are also in breach of Dutch criminal law.

The director of the Dutch branch of Sea Shepherd, Gerard Vons: 'Even if we hinder the Japanese ships, we always respect all the rules and certainly never endanger people's lives like the Japanese did here'.

The Dutch Public Prosecutor's Office has jurisdiction because the *Steve Irwin* and the *Bob Barker* sail under the Dutch flag and the incidents took place in open sea. Lawyer Liesbeth Zegveld: 'When we filed a criminal complaint for similar facts in 2010, the Public Prosecutor's Office decided that prosecution was not opportune. This time, the victims are seamen aboard Dutch ships. The Public Prosecutor's Office must take its responsibility and can no longer assert that insufficient Dutch interests are involved to initiate prosecution, or refuse to prosecute for other reasons.'

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