

Case Against Earth Island For Eco-Label Racketeering

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A lawsuit is pending in the United States against Earth Island Institute and its marine mammal specialist, Ric O'Barry by Dominican Republic Marine Park, Ocean World, for claims of unlawfully intervening with its business affairs. With the initial complaint issued in 2007, and in preparation for amending the operative complaint to add violations of the RICO Act, the case has now moved into the investigative phase for global, corporate racketeering and fraud against the defendants.

Represented by Attorney, Alexander Penalta, Ocean World has filed a Racketeering Influenced and Corrupt Organization's Activities (RICO) case with Broward County Court in Florida, stating that Earth Island Corporation has engaged in "global fraud, extortion and criminal corporate intimidation against lawful businesses."

The jury will be presented with the testimony of Ocean World's expert which represents the value of loss the business is claiming was caused by EII and Ric O'Barry's submitting of fraudulent video footage to the Environmental Minister of the Dominican Republic. Ocean World claims that as a result it was prevented from transporting dolphins from Japan to the Dominican Republic and not able to build and open a new ocean park facility in Punta Cana, DR.

EII made allegations that the dolphins Ocean World had entered into a deal with Japan to acquire, were selected from a Japanese cove where fishermen slaughter and sometimes capture the ocean mammals. The Marine Park is filing for compensation of losses calculated between USD 22 million and almost USD 4.2 billion.

Now in its eighth Notice of Filing to the court in its RICO investigation, the case has grown from the initial complaint of Ocean World wanting to prevent intervention and racketeering activities by EII against them, to the filing of a law suit which takes into account the wider activities of the corporation, including its "Dolphin-Safe" tuna program. Ocean World refers to this in the 6th filing as "EII Corporation's fraudulent "dolphin-safe" eco-label racketeering venture."

Mark Robertson from the Campaign for Eco-Safe tuna told atuna.com that the case "highlights the extortion and the tactics that are employed by EII and I think a very good argument that has been made in the briefs is that they are not only going after fishermen that may be harming dolphins, they are going after the whole supply

chain that has nothing to do with any of it and they are using tactics, that frankly I think is illegal.”

He added, referring to EII: “And what they are failing to do, for purely economic reasons, they are failing to fulfil the objectives that they claim to represent, in which they guarantee, and I use their word, guarantee, that no harm came to dolphins in the capture of tuna that bears the dolphin safe label. It is indefensible for them to claim that. One of the things I think the case needs to focus on is the actual science out there that very clearly demonstrates that the tuna EII claims to certify is not dolphin safe.”

Atuna.com contacted Earth Island Institute Dolphin-Safe to asking them to comment on this court case against them, but received no response at time of publication.