

# IUU Fishing and Seafood Fraud: Using Crime Script Analysis to Inform Intervention

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Illegal, unreported, and unregulated (IUU) fishing is a serious global environmental crime. It can lead to the collapse of important fisheries and the destruction of marine habitats, and it also directly threatens the food security and economies of developing countries, afflicting millions of people who depend on fisheries for survival. IUU fishing also undermines the sustainability of seafood stocks of many developed countries and directly impacts these countries' legal commercial fishing industries. Several regulatory mechanisms have been put in place at international, regional, and country levels to address the problem, but the implementation of these regulations remains a challenge. This article examines the problem of IUU fishing and seafood fraud through the application of the crime script analysis technique to (1) describe IUU fishing and seafood fraud, (2) highlight the regulations designed to address IUU fishing and seafood fraud, and (3) offer recommendations that link piecemeal and grand crime prevention policy responses to strategies that could be used by practitioners to address these problems more effectively.

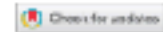
**Keywords:** IUU fishing; seafood fraud; species substitution; crime scripts; piecemeal interventions; local regulations; international agreements

**T**he term illegal, unreported, and unregulated (IUU) fishing was first coined in the 2001 Food and Agriculture Organization of the

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1. This article speaks of the illegal, unreported, and unregulated fishing, an environmental threat, which needs to be addressed more successfully.
2. The author examines the seafood fraud and already established prevention policies.
3. The author provides recommendations in order for practitioners to address the problem more effectively.



## Corporate behaviour and ecological disaster: Dow Chemical and the Great Lakes mercury crisis, 1970–1972

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### ABSTRACT

The discovery of dangerously high levels of mercury in the Great Lakes from industrial wastewater discharge severely shook the United States and Canada in 1970. Emergency actions covered industrial shutdowns, fishing bans and accelerated monitoring programmes. Charges against local chlor-alkali businesses, such as Dow Chemical, became the first instances of green-collar crime in the context of modern environmentalism in North America. At the same time, the legal, scientific and political management of the crisis foreshadowed the difficulties victims, prosecutors and polluters would face more generally in the field of environmental crime in the future. This contribution on Dow Chemical and the Great Lakes mercury crisis extrapolates the ambiguities inherent to ecological disaster and corporate behaviour, and encourages scholars to situate their analysis within a framework of scientific uncertainties and legal loopholes.

### KEYWORDS

Environment; white-collar crime; chemical industry; mercury crisis; green-collar crime; Great Lakes; Dow Chemical industry

### 1. Introduction

On 14 February 2013, a federal court in New Orleans accepted an agreement between the US Department of Justice and British Petroleum (BP) for the company to plead guilty to 14 criminal charges, among them felony manslaughter, obstruction of US Congress and environmental crimes. The court sentenced BP to pay the record sum of US\$4 billion for environmental crimes surrounding the Deepwater Horizon incident of 2010.<sup>1</sup> Three years prior to this negotiation, on 20 April 2010, an explosion had shaken the Deepwater Horizon oil platform, killing 11 workers. Following the explosion, oil had gushed uncontrollably into the Gulf of Mexico. For nearly three months, an estimated amount of 4.9 million barrels of crude oil escaped into the water. In the meantime, the oil had coated migratory birds, destroyed pristine marshes, sullied beaches and inflicted incalculable damages on the ecosystem of the Gulf region.<sup>2</sup>

The Deepwater Horizon disaster is crucial not only as the biggest ecological disaster in American history, but also as one of the most significant criminal cases ever prosecuted under US environmental law. According to the US court, BP had violated both the United States Clean Water Act (1972) as well as the Migratory Bird Treaty Act (1918). With criminal

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1. This article examines the environmental catastrophe in relation to corporate behaviors in order to aid further studies shift their focus on scientific uncertainties and legal flaws.
2. The author refers to the year 1970, when high levels of mercury were found in the Great Lakes and draws on actions taken back then to manage the environmental crime.
3. The author speaks of the innate ambivalence of the green-collar crime.



## Shady business: On the history of white-collar crime

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### ABSTRACT

White-collar crime is a daily topic in the news but by no means a new phenomenon. The article invites readers to explore the historical dimensions of these very specific offences. It discusses how to define white-collar crime and how to analyse it. It names six characteristics of white-collar crime, namely the preponderance of upper and middle-class delinquents, the motivation of financial gain, non-violence, systemic character, the breach of trust, and diffuse victimisation. It also highlights additional aspects for a working definition which can be applied to various and even rapidly changing historical contexts. The history of white-collar crime draws attention to the intersection of business and the law, and to its interaction with innovation, moral discourse and public perception, as well as with the changing nature of state policies during the past two centuries. The article introduces the special issue and discusses methods and approaches suited to analysing 'shady business'.



### KEYWORDS

White-collar crime; corporate social responsibility; compliance; corporate law; corruption; fraud

Daniel Defoe observed in the early eighteenth century that 'every Degree of Business' has its Invitation to do Evil: 1. Necessity tempts the poor Man. 2. Avarice tempts the rich.<sup>1</sup> Today, hardly a day passes without the media reporting on alleged professional misconduct and crimes of corporate executives. The large-scale deployment of police and public prosecutors to conduct searches of company headquarters, judicial bodies cooperating transnationally to expose criminal practices, record fines, arrest of managers, and court proceedings that echo around the globe: all of this has become everyday news.

### 1. Towards a definition

For all the attention white-collar crime has been receiving recently,<sup>2</sup> no generally accepted scholarly definition of this subject exists. In this issue, we will use the terms 'white-collar crime' and 'economic crime' interchangeably. To circumvent the arduous task of crafting a reasonably useful definition, many authors take refuge to a non-systematic case-by-case approach and work with a list of relevant crimes. White-collar crime, then, typically encompasses the following offences committed mainly by corporations, their owners, executives or employees as well as by government or municipal officials and members of the professions: fraud, corruption, embezzlement, misappropriation and malfeasance, tax fraud,

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1. This article examines the white-collar crime and its history, and provides the reader with information of how to analyze corrupted businesses.
2. The author draws on the definition of white-collar crimes, the connection between law and business, public views, and changing state policies.
3. The author explains the problem and helps the reader understand such practices.





