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### Canadian Arrest of Spanish Fishing Vessel for Conservation Violations

On 9 March 1995 Canadian authorities arrested the Spanish fishing trawler, *Estai*. Inspection by Canadian authorities has revealed that the *Estai* was engaged in serious violations of the most elementary conservation rules:

- false log-books (for catch and production);
- misreporting of catch (volume and species);
- systematic catching of immature fish; and
- systematic use of nets with small mesh-size (catching immature fish).

Two sets of catch and production log-books have been found: one set contains actual catch and production records; the second contains false information designed to disguise the amount and composition of the catch on board.

The captain's personal log has been found and is significantly different from the log used to report to NAFO [Northwest Atlantic Fishing Organization]. The captain over-reported Greenland Halibut (*Reinhardtius hippoglossoides*, also called Turbot) catches in December 1994 when no NAFO quotas were in place, to cover planned over-fishing of Greenland Halibut in January 1995. The vessel under-reported catches in January since catches in 1995 became subject to NAFO quotas. Beginning in January, the captain also misreported Greenland Halibut as Skate (presumably *Raja erinacea*), a species not currently regulated by NAFO.

Inspection of the vessel has established that it contained 350 tonnes of Greenland Halibut. The average length of a mature fish of this species — ones that can reproduce and sustain the fishery — is 60–70 cm. None of the fish found on board the *Estai* are of a size capable of reproduction. Six per cent of the catch by weight was less than 17 cm in length. This is significant ecologically as the number of

individuals per tonne that are removed from their ecosystem will of course be greater, the smaller the size of the fish.

At the time of inspecting the *Estai*'s catch, the size composition of the fish strongly suggested the systematic use of nets of a small mesh-size in violation of NAFO rules. Canadian authorities undertook a successful search (by dragging) for the *Estai*'s net, which had been cut loose by the ship's crew when it attempted to flee from Canadian enforcement authorities. The size of the mesh was 115 mm, *i.e.* smaller than the 130 mm permitted by NAFO. Furthermore, the net had a liner with an 80 mm mesh which would account for the fact that the catch on board comprised a large percentage of immature fish.

The fact that not a single mature Greenland Halibut has been found on board the *Estai* reinforces Canada's conservation concerns about the irresponsible conduct of this fishery by the Spanish fleet and the need to develop agreed enforceable conservation and management practices.

Canada continues to urge the European Union to adhere to the 60 days' moratorium on fishing in the NAFO area which is also being applied to Canadian fishermen both inside and outside the 200 miles economic zone, and to negotiate a solution, so that yet other over-fishing tragedies such as this one which is now being fully revealed in the Northwest Atlantic, can be avoided.\*

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\* For a suggested future solution see page 3 of this issue which by chance was drafted before the above controversy started and re-emphasized the absolute need to consider matters globally rather than selfishly, the ultimate right to our mind being that which is best for The Biosphere. — Ed.

### Enforcement of Environmental Laws and Regulations

Enforcement of environmental laws and regulations in their true spirit in most developing countries has simply become ironical. With corruption and malpractices assuming monstrous proportions, industries are jeopardizing our environment. One of the most glaring examples in the recent past of environmental lapse and mismanagement has been the Bhopal gas leak disaster, in which thousands were killed and many more injured and maimed for life through no fault of their own. Even today there are factories, large and small industries, ancillaries, and in-house units in developing countries, which grossly violate the laws, if not on paper then at least environmentally.

In the Indian capital, Delhi, a day on the city's roads is as bad as smoking 20 cigarettes, making a third of the city's residents suffer from respiratory ailments. Water, when not scarce, is often contaminated. Despite lots of funds, public-health laboratories, mobile monitoring units, and a battery of employees, there is no proper data-collection and -interpretation, and as a result drinking-water units are full of

germs, parasites, and other contaminants. Rivers which were once lifelines have become full of sewage and cause endemic diseases which take a heavy toll.

Recently, a pesticide factory in Bhopal even got the President's Award for Environmental Protection and Safety, though its workers were found to suffer from several toxicological manifestations. We found that they worked in the pesticide factory for more than eight hours under extremely adverse and even unsafe conditions. Two-thirds of the workers complained of severe neurological, haematological, or other problems, associated with highly elevated cholinesterase levels (S.A. Khan & S.A. Ali [1993], *Bull. Environ. Cont. Toxicol.*, **51**(5), pp. 740–7; S.A. Khan [1991], PhD thesis, Bhopal University, Bhopal, India). Cannot we do something to remove this strange paradox?

Perhaps if international agencies such as WHO, IUCN, UNEP, GREENPEACE, and Worldwatch Institute, step in and set up autonomous environmental monitoring cells at strategic places in poor developing nations, the malady can

be controlled to some extent. Such regional environmental monitoring centres could look after their areas, keeping a strict vigil on sensitive environmental matters. Such unbiased, honest and fearless monitoring of our environment could be enforced following the laws and legislations properly through mutual cooperation of scientists, social workers, human-rights activists, and government agencies — including the courts of law, as they would be keeping an eye on each other for the very purpose of protecting our

rapidly deteriorating environment. Perhaps in this way we could then avoid some future Bhopal disasters!

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## Eritrean National Code of Conduct for Environmental Security

### *The Government and Peoples of Eritrea,*

Supportive of the 1948 Universal Declaration of Human Rights (UN General Assembly Nr 217(III)A, 10 December 1948), and affirming the 1981 African Charter on Human & Peoples' Rights (UN Treaty Series Nr 26363 [in press]);

Recalling the 1972 Declaration on the Human Environment (UN General Assembly A/CONF. 48/14/Rev. 1 (pp. 3–5, November 1973), and conscious of the 1992 Declaration on Environment & Development (UN DPI/1344 [pp. 9–11], April 1993);

In approval of the 1982 World Charter for Nature (UN General Assembly Resolution Nr 37/7, 28 October 1982), and in sympathy with the 1968 African Convention on the Conservation of Nature & Natural Resources (UN Treaty Series Nr 14689 [1001: 3–33], 1976);

Observant of the 1973 Convention on International Trade in Endangered Species of Wild Fauna & Flora (UN Treaty Series Nr 14537 [1993:243–438], 1976), in recognition of the 1992 Convention on Biological Diversity (UN Treaty Series, in press), and mindful of the 1994 Convention to Combat Desertification (UN Treaty Series, in preparation); and

Aware that Humankind not only depends upon The Biosphere for its survival and well-being, but also that it must share that Biosphere with the other living things on Earth,

### *Herewith solemnly proclaim:*

1. A deep respect for all living things, and the natural environment upon which they depend, for each is a link in the chain that supports life on Earth.

2. A firm endeavour to make use of the environment in such a fashion that no species will disappear as a result of domestic actions; and, in support of this endeavour, to maintain in perpetuity an adequate fraction of both the

terrestrial and marine environments in their natural state; and, further, to eschew any trade in species of plants or animals threatened with extinction.

3. An unflinching dedication to maintain the national lithosphere (land), hydrosphere (waters), and atmosphere (air), at levels of purity conducive to a healthy environment.

4. A steadfast resolve to utilize the national renewable natural resources sustainably and the non-renewable ones frugally, and also to dispose of all wastes sustainably; and, in support of this resolve, to achieve a national population level that is in balance with available national resources and sink capacities, so that both present and future generations can live in dignity, and especially so that development can be carried out sustainably and with equity.

5. A faithful desire to carry out no activity that would harm the environment beyond national boundaries.

6. A staunch commitment to cooperate as necessary with neighboring states, and with the world community of nations, to protect and enhance the regional environment, the environment of regions beyond national jurisdiction, and the global Biosphere in general; and, in support of this commitment, a constant devotion to resolve any environmental or other interstate dispute solely by amicable means.

7. A thorough acceptance of the need to infuse into all levels of the educational process, social and environmental philosophies that would nurture an acceptance of the fundamental rights of both humans and Nature.

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## 'Charter' for Protected Areas and Their People

National parks experts from seven South Asian countries as well as from China and the Far East, met in Islamabad at the 42nd Working Session of the World Conservation Union (IUCN) Commission on National Parks and Protected Areas (CNPPA), from 21–23 September 1994, to seek means of improved protection of the biological wealth of the region. Cooperation among these countries — which include India, Pakistan, China, Nepal, Bhutan, Bangladesh, and Sri Lanka, among others — was also high on the agenda. Members of UNESCO, IUCN, and ICIMOD\*, also participated in it.

CNPPA is the largest network of protected-areas specialists in the world, and attempts to foster intra-regional cooperation among countries with similar protected-areas' needs. In particular, CNPPA promotes bilateral cooper-

ation for the management of protected areas along international borders. This is important where political boundaries divide ecosystems or wider ecomplexes which should, in fact, be managed together.

As human populations grow, using more and more land, it has become ever more critical to conserve natural areas and the *wild* plants and animals that live in them. It is also becoming more and more obvious that local people have to be involved in the conservation process if it is to succeed; no longer can a government impose 'park status' on an area and expect people to adhere to it!

### *Background Observations*

The title of the meeting — '*Parks for Life*' — succinctly expressed the intimate connection between protected areas and the livelihood of rural communities that are

\*International Centre for Integrated Mountain Development.