DOLPHINS' FATE HINGES ON GATT

In Geneva, the General Agreement on Tariffs and Trade (GATT), the 110-nation body that resolves trade disputes between nations and regulates trade, is currently considering a formal complaint lodged by Mexico against the United States. Mexico has charged the United States with violations of free trade as a result of the U.S. Dolphin Protection Consumer Information Act of 1990 as well as with the current embargo of Mexican yellowfin tuna by the United States. This case may have a dramatic impact not only on the country's ability to save the dolphins from purse-seine nets, but also on all domestic laws that have a prohibition built in to help safeguard the environment.

A panel of three judges, from Hungary, Switzerland, and Uruguay, must decide whether the United States may use an embargo as means of prompting Mexico to institute dolphin-protection measures. Should the panel decide against the United States on the basis that such a law prohibits free trade, then any European country that attempts to use domestic law to foster worldwide environmental protection will also be at risk. Bans on importing ivory or baby seal fur and the prohibition against the trade in endangered species are just a few of the laws that could be vulnerable to challenge if the United States fails to win the case.

The European Community has filed a formal complaint against the United States in this case, contending that a secondary embargo against Italy that went into effect May 24, 1991, violates free trade. Under its Marine Mammal Protection Act, the United States extended its embargo of Mexican yellowfin tuna to intermediary countries that continue to purchase "dolphin-deadly" tuna from Mexico. The embargo remains in effect while the case is under consideration. Secondary embargoes are currently in effect against Italy, Japan, Panama, Costa Rica, and France. Although Spain has also imported sizeable quantities of "dolphin-deadly" tuna into Europe in the past year, it avoided a secondary embargo. Spain filed a petitioncontending that it no longer took Mexican-caught yellowfin tuna, but it remains unclear whether Spain is involved in such imports or not.

The HSUS participated in a press conference on the GATT case in Geneva in May that was sponsored by the Bellerive Foundation and the World Wide Fund for Nature of Switzerland. As a bright red and white balloon bobbing on Lake Geneva drew attention to the GATT case and the fate of dolphins, HSUS European Director Betsy Dribben called for a boycott of all tuna and tuna by-products imported from Spain and Italy. She urged European consumers to "ask the question importers fear the most: 'Just where does that tuna come from?' If the answer is not the right one, don't buy the tuna or pet food with tuna by-products." The participating groups questioned the European Community's decision to back Mexico when it should have supported the United States in this test case.

A final decision in the case was expected in early September.

VANITY DRAWS EUROPE'S EYE

She is six feet tall with large pink and white ears. She is "Vanity" the laboratory rabbit, a unique symbol of the massive European effort to end cosmetic testing on animals.

The Vanity costume is worn by an actor whose gestures and body language vividly demonstrate the agony of cosmetic testing. Vanity is part of a campaign organized by the British Union for the Abolition of Vivisection and other animal-protection and animal-rights groups throughout Europe. In May the coalition presented to the European Parliament a petition calling for the end of all cosmetic testing in Europe that included more than 2.5 million names. It was the largest petition ever presented to the European Parliament.

More than a year ago, the European Commission issued a proposal to revise its cosmetics directive. Such policy changes would have increased the amount of animal testing undertaken to test the safety of chemicals currently in use in cosmetics. The proposal was met by outrage in the United States and Europe. In response to the strong public pressure, the commission withdrew its proposal and eventually issued another one. Although it is an improvement over the first eff-
TUNA/DOLPHIN CRISIS LOOMS

Don't buy tuna caught by killing dolphins! That warning, once heard only in the United States, is now echoing across Europe. In May David Morris, a British member of the European Parliament, issued a report to the fisheries subcommittee calling for a total ban on the importation into Europe of tuna caught by methods that kill dolphins. The report is now awaiting subcommittee action and is likely to go to the full European Parliament for a vote sometime in early fall. It follows more than a year's worth of efforts by The HSUS to ensure that Europe does not become a dumping ground for “dolphin-deadly” tuna—tuna that American consumers refuse to buy.

Europe has been the scene of an intense effort to end the purse-seine netting of dolphins. The United States has already eliminated 90 percent of the market for this tuna. In April 1990, when the three major U.S. companies agreed no longer to purchase “dolphin-deadly” tuna, its price dropped from $1,200 a metric ton to $700 a metric ton. Italian and Spanish importers felt that they had found a bargain. They began purchasing larger amounts of “dolphin-deadly” tuna, shipping it through the Panama Canal, then dumping it throughout Europe. Unwitting European consumers, including Prime Minister John Major, Prince Charles and Prince Philip, duke of Edinburgh, and to King Juan Carlos of Spain and President Francesco Cossiga of Italy. Mr. Morris asked them for help in working together “to put pressure on the European Parliament so that my report will result in European legislation to protect dolphins.”

Last fall Mr. LaBudde and The HSUS's Betsy Dribben met with representatives of the Italian tuna canners association based in Milan. During their three-hour meeting, the canners' representatives made it clear that they had no intention of ending their purchases of Mexican yellowfin tuna in the near future. Last year Italy imported forty thousand metric tons of “dolphin-deadly” tuna into Europe.

At every step of the way, The HSUS has been prepared to answer legislators’ questions on this issue and provide assistance. With Parliament members such as Mr. Morris and Ms. Banotti adamant in their support for ending the crisis, there is growing optimism the measure will pass the Parliament and be sent on to the European Commission. There it would be turned into draft legislation, voted on again by the European Parliament, and finally reviewed by the Council of Ministers.

The European Commission (similar to a federal bureaucracy) is less sympathetic to such a ban. HSUS members are urged to write Mr. Jacques Delaors, President of the Commission of the European Community, Rue de la Loi, 200, Brussels 1049, Belgium, to urge him to take a leadership role in gaining passage of such a ban in Europe. It would be helpful to point out that his own countrymen, the French canners, have taken a pledge that they will not can tuna caught on dolphins. It is now up to the European Community to turn this growing concern into a full and complete ban.