

*Pysdens Solicitors / TheHouseofBranchofgold*  
**Environmental Legal Research**

**PRESS RELEASE 257**  
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**The threatened Chilean plum yew (*Prumnopitys andina*)**



1. For more than a decade the environment has been part of our continued research at Pysdens together with our research unit associate TheHouseofBranchofgold in London. We have identified three main areas that affect each other, that is to say: 1. the law; 2. the commercial activity and 3. The environment. Each of these elements have their own characteristics.
2. We have drafted a model (Pysdens/Perez-Goldzveig) which assesses these three elements and aims to treat the environment as the principal element in respect of every single human commercial action. This is work in progress.
3. These three elements mentioned above, operate independently from one and each other as well as interacting within each other and in reality all work together at the same time. This is important because it seems that these three elements operate more separately than interacting with each other in the modern world because in very general terms those engaging in commercial activity rarely consider the environment

and pay little heed to the law. In relation to this point we remember the opinion of the late Professor Stephen Hawking being that the universe operates in an interactive manner without our being able to clearly establish what takes place first, second, third and so on. Also we have found this difficulty during our research into the creation of a robot-lawyer. We have identified processes and know they exist and interact and yet cannot identify which process is first, second, third and so on. Circumstances need to exist in order for processes to exist.

4. We have identified a commercial principle which is that for each commercial action there is a legal and environmental reaction or consequence. In point 3 above we said that we have identified that processes operate independently from each other but, at the same time, they interact with each other and therefore we posit that the more the interference there is with these complex relationships, the higher the possibility of consequences.
5. Are we, the legal and commercial sectors, listening to scientists and to local citizens of the world? Two events have occurred in Chile which have a connection with UK and with the increasing alert related to the seriousness of climate change in relation to our world. The first is that The Chilean Port of San Antonio has announced that it is planning to increase its capacity. This is a positive benefit for the region and for Chile but the local citizens are expressing their concerns that this will affect their quality of life because they will lose local amenities along the coastline and inland (Radio Chilena FM and Canal 2 San Antonio Chile). We have listened the concerns of the local citizens in order to better understand how our draft model could perhaps bring a new concept forward for consideration; a concept where every human commercial activity considers first the effect on the environment before the commercial interest. It is our view that the father of economics should be considered to be Charles Darwin rather than Adam Smith as we view nature as operating under the same principles of economics as effectively discovered by Charles Darwin in his consideration of the theory of evolution.

The second event raises consideration of the British botanist Tom Christian who, in 2013, collected seeds from the Chilean plum yew in conjunction with representatives of the Royal Botanic Garden Edinburgh. Christian wrote an article about this expedition saying that ***“The great paradox of my job is that we journey to some of the most beautiful places on Earth because they are at risk of destruction.”***

Christian travelled to Chile to collect the seeds of the rare and threatened Chilean plum yew (*Prumnopitys andina*) which exists in San Fabian de Alico, an Andean valley in central Chile as there are plans to flood this valley. An interesting observation was made by Christian which he related as follows: ***“It is here, on the large rock in the centre of the river, where a brave soul has leapt the narrow channel of fast-flowing water to paint onto the rock-face across from us, “No al punilla” – “No dam.”***” A quiet protest which, perhaps, only local people or the occasional tourist would see, but it was a protest which was noted by Tom Christian in 2013. The intended dam is apparently planned to assist in the supply of hydraulic electricity. The story continues as in 2019 Tom Christian went back to Chile to see what had become of this valley, this time accompanied by the British animation director and lecturer Vida Vega, who is also an award winning director whose work has been shown in Cannes winning several advertising awards. It was through Ms

Vega that we learned of the work of Tom Christian as well as her concerns in that the local people are still protesting against this dam. She also commented that the Chilean Government promised land to the families in San Fabian de Alico in exchange for them to leave, but it seems that the land which has been donated is not what was promised <sup>[1]</sup>. Tom Christian attended an event to celebrate the 25<sup>th</sup> anniversary of the charity Woodland Heritage <sup>[2]</sup> which was attended by His Royal Highness the Prince of Wales this July 2019. It is hoped that these types of events will bring significant profile to global environmental concerns and encourage blue sky thinking among governments to consider how to address these with positive effect.

The economic activity of mankind is affecting its own kind as well as the natural world. We continue to develop commercialisation including now in outer space and on several occasions we have warned that the Fourth Revolution in many ways is becoming a repetition of the First Industrial Revolution in that few will have control of the world under an effective “digital emperor”. That is not to say that technology should be shunned. However, what is concerning is the aggressive commercial need shown to establish and control this market and its effect on the natural world including mankind. It is also concerning that little consideration appears to be being given to whose ethics and beliefs are being programmed into and will form the base for this digital world.

*We at Pysdens Solicitors make every effort to keep our expenses to a minimum in order to pass our savings to our clients. Our fees are very competitive which, in times of economic difficulties, is important to consider. Our policy is to resolve disputes early rather than to litigate.*

**Disclaimer: This is not legal advice. We cannot advise any party to act based on this report without first consulting a specialised solicitor. The opinions in this report are those of the writers.**

Note: In producing this press release by Pysdens Solicitors, the model published in the book entitled "GUIDELINES TO CONSIDERATION IN RESPECT OF COMMERCIAL DEALINGS" by S. Perez-Goldzveig and K.Pysden forming part of the research and development programme "COMMERCIAL GUIDE INITIATIVE" by S. Perez-Goldzveig and K.Pysden being part of "TheHouseofBranchofGold" was used with the authorisation of the authors.

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