

PROTECTING THE ENVIRONMENT A CHALLENGE ON THREE LEVELS

[Maggi Mikaelsson](#)

*Member of Parliament and Member of the
Council of Europe Parliamentary Assembly
Sweden*

Today, we live in a world where we can no longer deny the existence of serious environmental problems that have a decisive impact on our lives. Depleted uranium used in the NATO bombings in South-eastern Europe, cyanide pollution of the Tisza river in Romania, "mad-cow" disease threatening food production in many countries in Europe are just some examples of what has been occurring during the last years.

Is this necessary? Could these environmental disasters have been prevented? What can we do to create a better standard of living for all people, so that bios – life on this earth – can be secured for future generations?

There are three levels where urgent action is needed: the individual, the private, and the political level.

As individuals we have an ostensible right to bios, to life. According to the UN Declaration on Human Rights, article 3, "Everyone has the right to life, liberty and security of person." Unfortunately this right does not include the right to a healthy and viable environment. Neither does this right include the possibility of taking a case of environmental abuse or threat to court, in order to punish those who are responsible. This is one example of why there is a need for internationally accepted mechanisms to legally examine environmental threats.

But, as an individual, one does not only have rights, one also has duties. If we wish to change the situation, we have the responsibility not only to talk or to wish, but also to act. And there are many ways to do so. First, there is a necessity that each and every one of us try to act as we learn. The Western, so called developed, world uses 80% of the world's energy resources and only accounts for 20% of the world's population. If the developed world were only to use its "proper" share, i.e. 20% of the energy produced, we can all imagine what a positive impact on the environment this would have, as it would reduce the use of fossil fuels, which is one of the worst polluters of the environment. Secondly, as an individual, one is also a consumer and needs to realise one's power. As a consumer, one can chose to buy things that are not harmful to the environment and avoid those that are.

The second level is the private sector. Private companies, financial analysts and banks, must acquire the necessary information on what impact their actions have on the environment and what measures they could take in order limit the negative effects. The private market needs to understand that, in the long-run, it is profitable to have a healthy environment and not pollute nature. An interesting development has in fact already taken place in many companies that now employ environmental advisers and have started thinking in environmental terms. Two principles, the polluter-pays principle and the precautionary principle, are becoming guiding-lights for an increasing number of enterprises.

An example is the forestry industry in Sweden, which, after hard pressure from NGOs and private citizens, has adopted an environmental approach to forestry and nature preservation. Of course, the Swedish legislation on forestry has contributed to this, but the companies have also become aware of the threats of losing customers if they misuse the forests.

The third level is the political level, and this is the level where the legal structure for environmental protection should be democratically decided upon. Environmental protection must be a matter of debate and ratification in every local and regional decision-making body, as well as in national parliaments and on the international level. This gives the necessary democratic legitimacy to the steps that need to be taken. Scientists and experts should be called upon to provide accurate scientific backgrounds, but can never be the ones to make the decisions. Often, the democratic process seems to be too slow compared to the urgent need to protect the environment, but democracy is and must be a slow process in order to include as many people as possible. It is of the outmost importance that every individual have the right to take part in decisions of the future. Then we return to the individual level and individual responsibility again, and the circle is closed.

I will conclude by saying that I am hopeful. Though we have brought so much trouble to our planet, I believe that, as clever and learning human beings, we can also adapt to new situations. Education is crucial, and so is the right to protest and to be listened to. In this context, a legal mechanism to solve environmental disputes on an individual level, a national level and between countries is urgent. Whether there should be a new International Court of the Environment or whether existing legal instruments could be adjusted to also handle environmental issues, is yet to be apparent. I hope, anyway, that the discussions that are taking place under the leadership of the Biopolitics International Organisation will put the question forward.

Maggi Mikaelsson, Member of the Swedish Parliament, has been Member of the Parliamentary Assembly of the Council of Europe since 1998. She holds a degree in philosophy from the University of Umea, Sweden, and, since 1994, has been a Member of the Standing Committee on

European Affairs (EU-namnden) and an alternate on the Standing Committee on Environment and Agriculture. She is also a Member of the Committee on Environment and Agriculture and an alternate on the Committee on Legal Affairs and Human Rights and the Committee on Social, Health and Family Affairs. In 2000, she presented a report to the Council of Europe on the use of antibiotics. In 2001, she presented an official report on alternative medicine for animals (SOU 2001:16) to the Ministry of Agriculture. She is a former party Secretary of the Left Party in Sweden.