

Dr. Danilo Türk, predsednik Republike Slovenije

Hvala lepa za povabilo.

Hvala lepa, da ste mi dali priložnost, da spregovorim nekaj besed ob začetku te pomembne in zanimive konference.

Dovolite mi, da se v tem svojem kratkem nagovoru ozrem na pravico do zdravega življenjskega okolja kot eno od človekovih pravic. To je tudi jedro današnje razprave. Prepričan sem, da boste na tej konferenci dobro osvetlili različne vidike te človekove pravice in različne praktične posledice dejstva, da je pravica do zdravega življenjskega okolja ena temeljnih človekovih pravic. V naši ustavi je zapisana v 72. členu ustave, vendar je podobna ureditev danes širše sprejeta, ne samo v Evropi, ampak tudi širše v svetu.

Dobro se spominjam časov pred kakšnimi tridesetimi leti, ko se je o teh rečeh še razpravljalo, ko smo aktivisti na področju človekovih pravic imeli različna mnenja o tem, ali je treba pravico do zdravega življenjskega okolja vključiti med temeljne človekove pravice. V tistih časih, pred kakšnimi tremi desetletji so mnogi mislili, da je treba človekove pravice jemati nekoliko bolj skrženo, v ožji definiciji, ravno zaradi tega, da se zagotovi njihova avtoriteta, da se ta obseg ne širi preveč, kajti s širitvijo človekovih pravic na nova področja, na nove teme – tako so verjeli mnogi v tistem času – se bo oslabil fronta prizadevanj za človekove pravice.

Izkazalo pa se je nekaj drugega – namreč, da je širitev fronte človekovih pravic nujna, kajti človekova eksistenca je ogrožena z mnogimi pojavi in jo je treba braniti, zavarovati na nove načine. Ta argument je imel osrednji pomen pri prevladi trditve in na koncu tudi pri ureditvi na pravni ravni, da ima pravica do zdravega življenjskega okolja status ene od človekovih pravic.

Vprašanja, ki sledijo od tu, pa postajajo zelo zanimiva in so zelo raznovrstna. Danes ne želim razpravljati o čisto pravnih vidikih, pravno-tehničnih vidikih okoliščine, da je pravica do zdravega življenjskega okolja med temeljnimi človekovimi pravicami. Zanimivo se mi zdi pogledati v nekatere druge vidike tega dejstva. Na prvem mestu sta tukaj taka dva vidika, kot je odgovornost, ki jo prinaša s sabo pravica do zdravega življenjskega okolja, oziroma če povem nekoliko drugače – pričakovanja, ki so povezana z njo. In drugič, njena mobilizacijska moč.

Ko se neka vrednota zapiše med človekove pravice, nujno postane deležna zelo visokih pričakovanj. Ta pričakovanja so najbolj izrazito emotivna, izrazito družbeno močna v primeru grobih kršitev človekove pravice, v tem primeru pravice do zdravega življenjskega okolja. V Sloveniji nimamo zelo dramatičnih kršitev, kakršne lahko opazujemo drugod po svetu. V Sloveniji se ni zgodilo nič takega, kar bi lahko primerjali z dramo v indijskem Bhopalu ali z razlitjem nafte v vrtini v Mehiškem zalivu.

Pri nas imamo druge probleme, ki pa ravno tako povzročajo velika pričakovanja in ustvarjajo velike odgovornosti. Pomislimo samo na tista območja v Sloveniji, ki so degradirana zaradi preteklih škodljivih industrij, industrij, ki so v glavnem opuščene, industrij, ki so bile povezane z eksploatacijo in predelavo takih elementov, kot so svinec, cink in živo srebro. Še vedno imamo območja, ki zahtevajo dodatno sanacijo, in pomembno je, da razumemo, da pravica do zdravega življenjskega okolja zahteva, da ta območja saniramo, kajti to je velika odgovornost in pričakovanja ljudi so izjemno močna. Ta pričakovanja niso izražena vsak hip, so pa vselej izjemno močna.

Drugi vidik pravice do zdravega življenjskega okolja, ki se mi zdi vreden posebnega poudarka in posebej glede na to, da bo ta konferenca razpravljala o Aarhuški konvenciji, ki je del širokega prizadevanja za uveljavitev pravice, je njena mobilizacijska moč. Ta mobilizacijska moč je nekaj izjemnega, je nekaj, kar moramo dobro razumeti in vgraditi v politiko skrbi za življenjsko okolje.

V Sloveniji smo imeli pred kakšnim mesecem dni izjemno zanimivo demonstracijo te velike mobilizacijske moči. Tu je potekala akcija Očistimo Slovenijo v enem dnevu. Ta akcija je nastala iz povsem civilnodružbene pobude. Nastala je iz pobude mladih ljudi, ljudi, ki pred tem niso bili organizirani v kakšno posebno razvito ekološko gibanje. Ljudje so to gibanje ustvarili s to akcijo. Na koncu jim je uspelo mobilizirati okrog 270.000 ljudi za čistilno akcijo, ki je zajela vse dele Slovenije, in če pomislimo, da je celotno prebivalstvo Slovenije dva milijona ljudi, od tega jih je bilo 270.000 en dan v celoti angažiranih pri taki akciji, potem lahko vidimo, kako velika mobilizacijska moč je v skrbi za naše okolje.

Vprašanje pa je, kaj storiti poslej. Kakšne naj bodo nadaljnje aktivnosti? Kakšne nauke naj naša družbena skupnost kot celota povzame iz te izkušnje in predvsem, kako naj državni organi, vlada in drugi dejavniki poskrbijo za to, da se bosta pozitivna energija in mobilizacijski učinek, ki je bil dosežen s to akcijo, ohranila in da bosta delovala še naprej, zato da bo naše okolje bolj zdravo in 72. člen ustave bolj uresničen. To je veliko vprašanje.

Veseli me, da je danes z nami minister za okolje prof. Roko Žarnić, in vem, da vlada razmišlja in ne samo razmišlja, da že pripravlja strategijo, ki bo zagotovila nadaljevanje te pomembne mobilizacijske akcije. Vlada pri tem zasluži vso podporo in verjamem, da smo vsi v tej dvorani močno zainteresirani, da bi izvedeli več, kako bo ta strategija videti, kakšna bo, kakšna bo njena vsebina in kakšen bo njen uspeh.

Ne gre namreč za to, da bi pri čiščenju in odpravljanju protipravnih odlagališč vsako leto na novo mobilizirali celotno prebivalstvo. Gre za to, da taka mobilizacija zagotovi ustrezno nadaljevalno aktivnost, implementacijo, izvajanje predpisov, ki že obstajajo. In ravno tu bo na preizkusu ne samo naša splošna družbena odgovornost, ampak tudi sposobnost vlade, da to odgovornost prelije v ustrezno in učinkovito strategijo. Zanimivo vprašanje, vprašanje, ki bo prav gotovo deležno širokega zanimanja javnosti, podpore, če bo ukrepanje uspešno, in kritike, če bodo zastoji.

In končno, rad bi posebej poudaril zahvalo varuhinji človekovih pravic dr. Zdenki Čebašek Travnik za to iniciativo, za to, da pri svojem obsežnem delu in v času, ko imamo na našem dnevnem redu mnoge akutne probleme, vključno s tistimi, ki so povezani z delovanjem našega pravosodnega sistema, in tistimi, ki se tičejo popolnoma osnovnega korpusa človekovih pravic, državljskih in političnih, ima energijo in sposobnost, da organizira tudi konferenco, ki zajema neko širše področje, ki spada vsekakor v korpus človekovih pravic, ki pa zahteva uporabo sposobnosti, informacij, znanj, talentov, ki daleč presegajo tradicionalne instrumente na področju varstva človekovih pravic.

Izjemno pomembno je, da se taka širša fronta vzpostavi. Izjemno pomembno je, da vsi skupaj razumemo, da nam gre pri tem za človekove pravice. In izjemno pomembno je, da varuhinja človekovih pravic poskrbi za to, da v družbi, da pri nas to bolje razumemo. Zato bi rad ta svoj pozdravni nagovor zaključil z zahvalo naši varuhinji človekovih pravic. Zahvalil bi se vsem vam, ki ste prišli in ki se udeležujete te konference. Rad bi vam zaželel veliko uspeha pri vašem delu in veliko dobrih učinkov v prihodnosti.

Hvala lepa.

Dr Danilo Türk, President of the Republic of Slovenia

Thank you for your invitation.

Thank you for giving me the opportunity to say a few words at the beginning of this important and interesting conference.

Please allow me, in my short address, to consider the right to a healthy living environment as a human right. This is also the core of today's discussion. I am convinced that you will effectively elucidate various aspects of this human right and various practical consequences of the fact that the right to a healthy living environment is one of the fundamental human rights. This right is determined in Article 72 of our Constitution, but similar regulation has been broadly adopted not only in Europe, but also in the wider world.

I remember well the time approximately thirty years ago when these topics were only discussed, when activists in the field of human rights had various opinions with regard to whether the right to a healthy living environment should be included amongst the fundamental human rights. In those times, approximately thirty years ago, many were of the opinion that human rights should be considered in a somewhat more limited manner, with a narrower definition, mainly in order to ensure their authority, so that their scope would not be too broad, since with the expansion of human rights to new fields and new topics – as many believed at that time – the front line regarding efforts to develop human rights would weaken.

But something else became apparent – namely that the expansion of the front with regard to human rights is urgent since the existence of man is threatened by many phenomena and needs to be defended, protected in new ways. This argument had a central significance with regard to the prevalence of the claim that the right to a healthy living environment has the status of a human right and, in the end, also with regard to its regulation on the legal level.

The questions which follow therefrom are becoming very interesting and are very diverse. Today I do not wish to discuss merely the legal aspects, the legal-technical aspects of the circumstance that the right to a healthy living environment is one of the fundamental human rights. I find it interesting to review some other aspects with regard to this fact. Primarily, there are two such aspects, the responsibility which follows from the right to a healthy living environment, or, stated differently, the expectations connected thereto. And secondly, its mobilizing power.

When a certain value is included among our human rights, it is inevitably accorded very high expectations. Such expectations are most expressly emotional and socially powerful in the event of severe violations of human rights, in this case, the right to a healthy living environment. There are no dramatic violations in Slovenia of the kind that may be observed elsewhere around the world. Nothing has happened in Slovenia that might be compared to the drama in Bhopal, India, or the ongoing oil well spill in the Gulf of Mexico.

We nevertheless face other problems which cause high expectations and create great responsibilities. Let us consider those areas in Slovenia which are degraded due to past detrimental industries, industries which are mainly abandoned, industries which were connected to the exploitation and processing of such elements as lead, zinc, and mercury. There are still areas which demand additional restructuring and it is important to understand that the right to a healthy living environment requires that these areas be restructured, as this is a great responsibility and the expectations of the people are exceptionally strong. These expectations are not demonstrated every moment, but they are always very strong.

The other aspect with regard to the right to a healthy living environment which I believe is worthy of special attention, especially with regard to the fact that this conference will discuss the Aarhus Convention, which is part of a wider endeavour to enforce this right, is its mobilizing power. This mobilizing power is something extraordinary, it is something that we have to understand well and include in policy regarding ensuring a healthy living environment.

Approximately a month ago we witnessed an extraordinarily interesting demonstration of this great mobilizing power in Slovenia. The campaign "Let's Clean Slovenia in a Day" took place. This campaign evolved from a mere civil-society initiative. It evolved from an initiative of young people, people who prior to that had not been organized into some specially developed ecological movement. The people created this movement with this action. In the end, they managed to mobilize approximately 270,000 people for this cleaning campaign that encompassed all parts of Slovenia, and if we consider that the total population of Slovenia is two million people, of which 270,000 were completely engaged in this campaign for a day, then we can see how great the mobilizing power regarding care for our environment is.

But the question is what to do henceforth. What shall further activities be like? What lessons should our social community as a whole learn from this experience, and mostly, how can the state authorities, the government, and other actors ensure that the positive energy and mobilization effect achieved by this campaign be preserved and activated also in the future in order to have a healthier environment and make Article 72 of the Constitution implemented more effectively. This is a big question.

I am pleased that the Minister of the Environment, Prof. Dr. Roko Žarnić, is here with us today, and I know that the Government is considering, and not only considering, but already preparing a strategy which will ensure the continuation of this important mobilization campaign. The Government deserves all support in this and I believe that everyone in this hall is sincerely interested in learning better what this strategy will look like, what it will be, what its content will be, and what kind of success it will have.

It is namely not an issue of every year mobilizing anew the entire population to clean and eliminate illegal landfills. The issue is that this mobilization ensures appropriate ongoing activities, and the implementation, the realization, of provisions that already exist. And this will be a test not only of our general social responsibility, but also of the capability of the Government to turn this responsibility into an appropriate and efficient strategy. A very interesting question, a question which undoubtedly will garner broad attention on the part of the public, and support if the action is successful, and criticism if it comes to a standstill.

And finally, I would like to particularly stress my appreciation to the Human Rights Ombudsman, Dr. Zdenka Čebašek Travnik, for this initiative, for the fact that with her extensive work and during a time when we have on our agenda many acute problems, including those which are linked to the functioning of our judicial system and others which concern the most basic corpus of human rights, citizen rights, and political rights, she has had the energy and capability to also organize a conference which covers a certain wider field, which certainly belongs to the corpus of human rights, but which demands the use of capabilities, information, knowledge, and talents which far exceed the traditional instruments in the field of human rights protection.

It is extremely important that such a wider front be established. It is extremely important that together we all understand that the issue concerns human rights. And it is extremely important that the Human Rights Ombudsman ensures that we understand this better in society. That is why I would like to conclude this opening address by thanking our Human Rights Ombudsman. I would like to thank all you who have come to take part in this conference. I wish you great success in your work and much positive impact in the future.

Thank you very much.