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ANALYSIS AT THE NATIONAL / REGIONAL LEVEL

SLOVENIA

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1. Analysis at the national/regional level

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1.1.1 Implementation level of IMP and MSP

1.1.1.1 Resolution of the National Maritime Development Programme

Slovenia adopted a Resolution on the National Maritime Development Programme (OG RS, No. 87/2010), taking into account, *inter alia*, the guidelines and policies of the European Union in the maritime sector, such as the White Paper on European Transport Policy, Integrated Maritime Policy for the European Union, Action Plan of the Integrated Maritime Policy for the European Union, Strategic Goals and Recommendations for the EU's Maritime Transport until 2018, Communication and Action Plan with a View to Establishing a European Maritime Transport Space without Barriers, Integrated Maritime Policy for Better Governance in the Mediterranean, Towards the Integration of the Maritime Surveillance: A Common Information Sharing Environment for the EU Maritime Domain and Developing the International Dimension of the Integrated Maritime Policy of the European Union.

The national programme is based on the analysis of the existing maritime situation and conditions, maritime safety and the role and importance of the maritime sector to the economic and social development. Changes in the maritime sector with an emphasis on the safety of maritime transport trigger new development trends that require the fastest possible tracking of innovations and their implementation in practice.

The National Programme is a strategic document which, through the definition of the situation, objectives and measures, provides conditions for the sustainable and integrated development especially in the field of maritime transport safety. Moreover, it embodies a vision and helps to create conditions conducive to maritime transport development and the more effective exploitation of advantages, such as the outlet to the Adriatic Sea, a modern freight and passenger terminals and a maritime-oriented economy and education system.

The Programme established a balance between the preservation and improvement of the quality of life, better environmental protection, co-existence of the port activities, industry and tourism in the sensitive area of the Northern Adriatic and the provision of enhanced opportunities for Slovenia's development as a modern maritime country. It also points out the importance and role of marine economy in Slovenia, maritime transport safety (considering the situation in this field and the goals and plans for the provision of maritime transport safety) and the national approach to the coastal spatial management (emphasizing the requirement for the coordination of marine economic activities with all stakeholders in the area).

Two separate chapters deal with clustering in marine economy and human resources development for the needs of the maritime sector at the Maritime and Technical Education Centre and the Faculty of Maritime Studies and Transport of the University of Ljubljana.

A special chapter is devoted to the only cargo port in Slovenia (containing a plan for the development of port and logistics activities, a vision of Slovenia's opportunities to develop into a regional logistics centre, the planned objectives and activities required for their attainment).

Specific chapters deal with other economic activities, crucial for Slovenia as a maritime country, namely shipping, shipbuilding and production of ship components and recreational craft; integration of the Port of Koper into the system of motorways of the sea and short sea shipping. The National Programme also contains chapters dealing with hydrography and cartography (significant from the point of view of maritime transport safety) and ecology (situation, objectives and development plans to maintain and improve the achieved level).

The central part of the Resolution introduces new instruments for implementation, monitoring and supplementing the National Maritime Development Programme of the Republic of Slovenia. The final chapters provide the maritime legal framework in Slovenia, i.e. internal legal resources, relevant European legislation and international conventions, ratified to date by the Republic of Slovenia. There is also an overview of the international conventions to be ratified in the future.

The Resolution on the National Maritime Development Programme was drawn up on the basis of the Maritime Code.

The area is also regulated by the following acts:

- Maritime Code of 2004 (OG RS, Nos. 26/01, 110/02-ZGO-1, 2/04, 37/04-UPB1, 98/05, 49/06, 120/06-UPB2 and 88/10), regulating the sovereignty, jurisdiction and control of the Republic of Slovenia over the sea, navigational safety in territorial waters and inland maritime waters, protection of the sea against pollution from vessels and legal regime of ports;
- Waters Act of 2002 (OG RS, No. 67/2002, Act Amending the Water Act, OG RS, No. 57/2008);
- Nature Conservation Act of 2007 (OG RS, No. 56/99)
- Marine Fisheries Act of 2006 (OG RS, No. 115/06).

1.1.1.2 Maritime Spatial Planning

The Spatial Planning Act does not cover the issues of maritime spatial planning, but it also applies to the sea. The Decree Amending the Decree on the Types of Spatial Planning of National Significance (OG RS, No. 68/2005) lays down that spatial regulations important for the spatial development of the Republic of Slovenia also include the spatial regulations for the seabed, thus providing that:

- the Spatial Planning Act also applies to the sea (seabed);
- maritime spatial planning is under jurisdiction of the State and not under municipal jurisdiction.

Therefore, the role of maritime spatial planning as an instrument to coordinate potentially conflicting interests on land (coast) and the sea is not yet fully utilised in Slovenia, as also found by the PlanCoast project (Interreg IIIB CADSES).

A “Maritime Spatial Plan” has not yet been drawn up. However, some uses of the sea area have been defined on the basis of sectoral rules outside the formal spatial planning framework, namely the areas of nature protection and cultural heritage, fishing reserves, waterway corridors, etc.

The Resolution on the National Maritime Development Programme of the Republic of Slovenia also contains a chapter on spatial planning, which points out only the aspects related to the preparation of spatial plans for maritime transport (ports, waterways, transport safety facilities, etc.), taking into account the basic strategic framework provided by the Ordinance on Spatial Planning Strategy of Slovenia. The Ordinance, *inter alia*, defines the principles of coherent and coordinated development

of transport and settlement networks in relation to construction of public economic infrastructure. The document sets out the main principles and concepts of transport networks in the Republic of Slovenia and also defines the role of the Port of Koper in international public transport and long-distance transport links.

The need for maritime spatial planning proved most acute in the case of the planned gas terminals in the Gulf of Trieste. The project was conceived without predefined possible variants, without strategic environmental assessment and without coordination at the trilateral level (Slovenia, Croatia, Italy) and with other users, which triggered a wave of opposition to the project and such an approach.

The area is therefore regulated by the following legislation:

- Spatial Planning Act – Informal Consolidated Version (<http://www.dz-rs.si/wps/portal/Home/deloDZ/zakonodaja/izbranZakonAkt>)
- Decree on the Types of Spatial Planning of National Significance – Informal Consolidated Version (OG RS, Nos. 95/07, 102/08 and 26/10)

1.1.2 Implementation level of MSFD

Between 2005 and 2008, Slovenia, together with other EU Member States, participated in the process of drafting a common EC marine environment policy. On this basis, the Marine Strategy Framework Directive of the European Parliament and of the Council was adopted on 11 December 2007, establishing a framework for Community action in the field of marine environment policy (hereinafter referred to as the Directive 2008/56/EC). The Directive 2008/56/EC provides the framework for action by the Community in the field of marine environment policy in conjunction with the maritime and fisheries policies.

In Slovenia, the authority responsible for the implementation of the Directive 2008/56/EC is the Ministry of Agriculture and the Environment (hereinafter referred to as the Ministry), including its constituent bodies.

According to the provisions of the Water Act, the authority responsible for the implementation of the Directive 2008/56/EC is the Ministry responsible for waters, entrusted with the tasks of transposing the Directive into national law, preparing the marine strategy, inter-sectoral coordination and harmonisation of its content with neighbouring countries and the countries in the region. The platform for transposition of the Directive into the Slovenian national law is Article 59a of the Water Act, specifying that a marine environment management plan has to be prepared to achieve the strategic goals in the field of water management. The tasks are shared by the Ministry (Environment Directorate – Water Division) and its affiliated body – the Slovenian Environment Agency (ARSO) with its offices by river basins (Adriatic and Danube) and sub-basins (Soča River, which flows into the Adriatic Sea). Another body within the Ministry is the Inspectorate of the Republic of Slovenia for the Environment and Spatial Planning.

The Ministry is responsible to draw up a programme of measures designed to achieve or maintain good environmental status, which requires a comprehensive environmental impact assessment, socio-economic assessment, justification of exceptions and feasibility of implementation by 2016 at the latest.

To ensure the implementation of the Directive 2008/56/EC, the Ministry prepared a framework plan of action for the first planning period 2008-2015, which is summarised below. The plan was prepared on the basis of the provisions of Directive 2008/56/EC, which, in addition to principles, objectives and instruments for the attainment of goals, specifies the individual steps to be carried out by the Member States for the preparation of marine strategies and timelines. The Directive also specifies the method of preparation of individual steps where coordination of marine strategy content is needed amongst the Member States as well as the non-member countries in the region or sub-region.

In accordance with Article 5 of the Directive 2008/56/EC, the plan of action consists of:

- an initial assessment of the environmental status (Article 8);
- determination of good environmental status (Article 9(1));
- establishment of environmental targets (Article 10);
- a monitoring programme (Article 11);
- notifications and Commission's assessment (Articles 12, 16);
- programmes of measures (Article 13);
- exceptions (Article 14);
- public consultation and information (Article 19);
- notifications and Commission's assessment (Articles 9,10,11 and 15);
- regional cooperation (Articles 5 and 6).

Organisation of the implementation of tasks at the national level: the Ministry of Agriculture and the Environment is responsible for preparing and reporting to the Commission on the implementation of Marine Strategy. It also notifies the Government and the National Assembly of the Republic of Slovenia, as well as the general and professional public. The Ministry is also responsible for the harmonisation of particular contents of the Directive at the regional level and the Adriatic sub-region.

The key professional tasks in relation to the implementation of the Directive 2008/56/ES are carried out by the Institute for Water of the Republic of Slovenia, Marine Biology Station Piran and Institute of the Republic of Slovenia for Nature Conservation with the participation of Fisheries Research Institute of Slovenia, Slovenian Environment Agency and other specialised professional institutions.

Due to the diversity of content and cooperation of the professional public it is appropriate to also involve other bodies within the Ministry through working groups (sectoral task force) and other ministries (intersectoral task force).

1.1.3 Other legislative and planning tools

1.1.3.1 Water Framework Directive

The Ministry of Agriculture and the Environment, including its constituent bodies, is responsible for the implementation of the Water Framework Directive (WFD).

Slovenia is a water-rich country – it abounds in water of all types and has a wealth of flora and fauna. Abundant rainfall, a variety of landscapes and diverse natural environments have contributed to a dense network of surface watercourses and groundwater systems. The waters of Slovenia are divided among those of the Danube river basin district and those of the Adriatic Sea river basin district. The

Danube river basin district includes the Mura, Drava and Sava sub-basins, whereas the Adriatic Sea river basin district includes the basins of the Soča River and all Adriatic rivers, along with the sea. To facilitate management, every sub-basin is divided into smaller units called water bodies. Slovenia has 155 surface water bodies and 21 groundwater bodies.

The River Basin Management Plan is an important national document of the Republic of Slovenia, which defines the management approach to achieving good status of its waters by 2015. The Plan envisages reciprocal coordination and cooperation of all people and institutions in Slovenia. A water management plan always encompasses the entire river basin or sub-basin, describes its characteristics, discusses the existing activities, analyses the environmental burdens, presents the findings of regular monitoring of water status, defines the objectives and necessary measures for the achievement of good water status as well as the required financial resources. In view of the characteristics of the Slovenian territory where all river sub-basins span over country borders, planning has been coordinated with the neighbouring countries.

The key chapters of the River Basin Management Plan cover the water quality, flood protection and water use. These are the areas where different or conflicting interests arise, favouring either development or protection of water resources, namely the conflicts between spatial development and preservation of water bodies, discharge of waste water and preservation of watercourse quality as well as between intensive agriculture and preservation of sufficient drinking water supply.

Drawing up of the River Basin Management Plan brought to light many unsolved developmental problems stemming from a wide-ranging interests of a great number of stakeholders. Slovenia will successfully ensure adequate water supplies in the future only if it sees eye to eye with the relevant stakeholders about the protection of our water resources. The responsible institutions and services will have to be efficient and the companies and individuals responsible.

The implementation of the water management issues falls in the remit of national and local services and institutions responsible for spatial planning. Water management is also coordinated at the European level where Slovenia takes part in the common water management plans and coordination as well as transfer of knowledge, experience and technologies.

The River Basin Management Plan was adopted in August 2011 by Decree on the River Basin Management Plan for the Danube Basin and the Adriatic Sea Basin. (OG RS, No. 61/2011).

Slovenia transposed the principles and provisions of the Water Framework Directive into the national law through the following regulations:

- Water Act (OG RS, Nos. 67/02, 2/04);
- Environment Protection Act (OG RS, No. 41/04);
- Nature Conservation Act (OG RS, Nos. 56/99, 31/00, 110/02-ZGO-1, 119/02-ZON-A and 41/04-ZON-B);
- Public Administration Act (OG RS, Nos. 52/02, 56/03, 83/03, 110/03, 134/03 and 36/04);
- Act Ratifying the Convention on Co-operation for the Protection and Sustainable Use of the River Danube (Danube River Protection Convention) (OG RS-MP, No. 12/98);
- Act Ratifying the Convention for the Protection of the Mediterranean Sea Against Pollution, the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and

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- Aircraft, and the Protocol concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency (OG RS, No. 12/1997);
 - Decree on the Chemical Status of Surface Waters (OG RS, No. 11/2002);
 - Decree on the Quality of Underground Water (OG RS, No. 11/2002);
 - Decree on the Emission of Substances and Heat in the Discharge of Waste Water from Pollution Sources (OG RS, No. 35/1996);
 - Rules on the Delimitation of River Basins and Sub-basins and of Relevant River Basin Districts with Class I Waters (OG RS, No. 82/03);
 - Rules on Methods for Determining Water Bodies of Underground Water (OG RS, No. 65/03);
 - Rules on Methods for Determining Water Bodies of Surface Water (OG RS, No. 65/03);
 - Rules on Determining Water Bodies of Groundwater (OG RS, No. 63/2005);
 - Rules on Determining and Classification for Water Bodies of Surface Water (OG RS, No. 63/2005);
 - Decree on the Quality Required of Surface Waters Supporting Fresh-water Fish Life (OG RS, Nos. 46/02 and 41/04-ZVO-1)
 - Decree on the Quality Required of Water Supporting Marine Bivalves and Gastropods (OG RS, Nos. 46/02 and 41/04-ZVO-1)
 - Rules on Determining Marine Areas where the Quality of Water Is Suitable to Support Marine Bivalves and Gastropods (OG RS, No. 106/04);
 - Rules on the Designation of Surface Water Sections Important for Freshwater Fish Species (OG RS, No. 28/05).

The background documents are published on web site:

http://www.mop.gov.si/si/delovna_podrocja/voda/nacrt_upravljanja_voda_za_vodni_obmocji_donave_in_jadranskega_morja_2009_2015/

1.1.3.2 Flood Directive

The authority responsible for flood issues is the Ministry of Agriculture and the Environment which implements the tasks in relation to water management, specified in detail by the Water Act. The scope of activities includes the preliminary flood risk assessment, identification of the areas of potential significant flood risks (Article 5 of the Flood Directive), production of flood hazard and flood risk maps for such areas and drawing up the flood risk management plans in plans in accordance with the provisions of the Flood Directive 2007/60/EC. Implementation of the Flood Directive is regulated by the Decree on the Establishment of Flood Risk Management Plans (OG RS, No. 07/10), by which Slovenia has transposed the majority of the Flood Directive provisions into the national law.

In addition the Operational Programme for Environmental and Transport Infrastructure period 2007-2013 defines Flood related measures and activities as one of the priority areas. Activities and measures will include a risk assessment of significant flood risk areas and a comprehensive proposal on the measures. The proposals include construction measures mainly in uninhabited flood plains (Controlled flooding in areas where there is no major damage), measures in existing urban areas, areas that represent potential threat to environment, and areas of important economic activities. Activities and measures are organized in projects providing flood protection in the basin Savinja, Ljubljana, Sava, Drava and Dravinja, Mura 35 and upgrading the system for monitoring and analysis of the aquatic environment in Slovenia in total amount of 185 mio EUR. (OECD report)

In Slovenia, the requirements of the Flood Directive are implemented through the following regulations:

- Water Act (OG RS, Nos. 67/02, 110/02);
- Act Amending the Water Act (OF RS, No. 57/08);
- Rules on Methodology to Define Flood Risk Areas and Erosion Areas Connected to Floods and Classification of Plots into Risk Classes (OG RS, No. 60/07);
- Decree on Conditions and Limitations for Constructions and Activities in Flood Risk Areas (OG RS, No. 89/08);
- Decree on the Establishment of Flood Risk Management Plans (OG RS, No. 7/2010).

Other relevant documents relating to the Flood Directive are:

- Implementation programme for Flood Directive 2009-2015:
http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/okolje/pdf/vode/poplavna_direktiva_okvirni_program_izvajanja.pdf;
- Slovenian reports to the EC on the implementation of FD:
<http://cdr.eionet.europa.eu/si/eu/fdart3/envsz3wq>;
- A preliminary assessment of flood risk in Slovenia was prepared within the implementation of the Flood directive:
http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/okolje/pdf/vode/predhodna_ocena_poplavne_ogrozenosti.pdf.

1.1.3.3 Habitat and Bird Directives

Several large bio-geographical regions meet in Slovenia. Its terrestrial habitats and landscapes can therefore be ascribed to a number of main groups: alpine and mountain habitats, sub-mountain habitats, marine areas, lowland plains and aquatic ecosystems. A special Slovenian feature is a large karstic area with around 10,000 underground caves. Forests cover nearly 60% of the land area and are well preserved.

In terms of biodiversity, Slovenia is one of the most outstanding countries in Europe. It boasts about 850 endemic species, the majority of which live in subterranean habitat types, alpine and subalpine grasslands, rocks and scree. In comparison with other EU countries, Slovenia has many areas with preserved habitat types, which is the result of extensive agricultural use and co-natural, multipurpose and sustainable forest management. Despite this, 10% of ferns and flowering plants and 56% of vertebrates (mammals, birds, reptiles, amphibians and fish) are endangered. The loss of their habitats is the major threat.

Most threatened habitats are dry and wet grasslands, coastal and marine habitats, and standing and running waters. The proportion of threatened reptile species and amphibians is very high in Slovenia in comparison to other taxonomic groups and other OECD countries. Slovenia's greatest task regarding the conservation of biodiversity relates to endemic species, habitats and habitat types that are disappearing here as in the rest of Europe – coastal, marine and inland waters, marshes and wetlands, humid and wet grasslands, and subterranean habitat types. Achieving the objectives 2a and 2b of the National Environmental Action Programme (NEAP) seems to need more push in relation to species, as a report on conservation status of species and habitat types of European Union's interest

in 2007 has shown that 75% of species are in an unfavourable status. Situation is better with habitat types of which 55% are in an unfavourable conservation status.

The main objectives of Slovenia's policy for nature protection are contained in the National Nature Conservation Programme 2005-2015 (NNCP), which is a part of the National Environmental Action Programme 2005-2012 (NEAP). These objectives are:

- (1) To establish a comprehensive nature conservation system and implement it in an efficient manner.
- (2) To preserve the high level of biodiversity and to halt the decline in biodiversity by:
 - a) maintaining or achieving a favourable status of endangered species and habitat types;
 - b) maintaining or achieving a favourable status of species' habitats and habitat types for which areas important for biodiversity conservation are designated (areas of ecological importance, Natura 2000 areas, Ramsar localities);
 - c) introducing efficient and coordinated nature conservation in protected areas through management plans and other measures;
 - d) raising the standard of all procedures involving wild animals;
 - e) ensuring sustainable use of the components of biodiversity and the sustainability of activities that affect the natural world.
- (3) To preserve a favourable conservation status of large carnivore species and to reduce conflicts.
- (4) To preserve as many natural systems of biocenosis as possible.
- (5) Valuable natural features:
 - a) to preserve those features characterised as a valuable natural feature of a certain species and to measure all other features to the greatest extent possible;
 - b) to ensure the recovery of damaged or destroyed valuable natural features;
 - c) to ensure that valuable natural features are used in a way that does not threaten them;
 - d) to ensure the *ex situ* protection of valuable natural features whose preservation in the wild (in their natural habitat) is not possible.

To achieve the objective 2 (preserve the high level of biodiversity) and following a planned measure of the NEAP/NNCP, the Natura 2000 Management Programme 2007-2013 was adopted by the Government in 2007 which sets more detailed conservation objectives for the Natura 2000 sites to achieve a favourable status for endangered species and habitat types of EU importance. Biodiversity conservation is also dealt with by the Biodiversity Conservation Strategy of Slovenia (2001-2011).

Responsibility for biodiversity conservation is expressed in the percentage of protected zones and areas. Some 47.7% of Slovenia's territory is covered by ecologically important areas. Two-thirds of these areas are included in the European NATURA 2000 network, covering 35.5% of the territory of Slovenia. Nationally designated protected areas account for around 13%, with one National Park (Triglav), 7 regional and landscape parks, and a number of reserves and places of outstanding natural beauty. There are further 35 protected areas, designated at the local level.

On 29 April 2004, the Slovenian Government issued a regulation defining the Slovenia's Natura 2000 areas (Decree on Special Protection Areas (Natura 2000 Areas)). A total of 286 areas were included: 260 on the basis of the Habitats Directive (SCI) and 26 on the basis of the Birds Directive (SPA). These areas cover 35.5% of Slovenia's total surface area. With respect to the European Commission,

the SCI sufficiency index is sufficient for 70% of the habitat types and species of the Union's interest and for the SPA an increase is expected as well.

To ensure an adequate management of Natura 2000 areas, the Natura 2000 Site Management Programme 2007-2013 was adopted. This Operational Programme was developed during two and a half year period, allowing for intense consultation. The Programme:

- defines the Natura 2000 conservation objectives and measures to achieve them;
- identifies the competent sectors and their related management plans and responsible implementers;
- enables horizontal links to other strategic plans and development programs of the Government;
- identifies the financial resources;
- tries to use the opportunities for local and regional development from Natura 2000, and lists the key research gaps.

Funding sources for the implementation of this programme include the European Regional Development Fund, the Rural Development Programme, LIFE+ and national funds.

Legislation:

- Nature Conservation Act with Regulations (OG RS, Nos. 56/99, 31/00, 119/02, 22/03, 41/04, 96/04 – Official Consolidated Text);
- Cave Protection Act with Regulations (OG RS, No. 02/04);
- Triglav National Park Act (OG RS, No. 52/10);
- Škocjan Caves Regional Park Act (OG RS, No. 57/96);
- Škocjan Inlet Nature Reserve Act (OG RS, No. 20/98)

Main documents:

- Biodiversity Conservation Strategy of Slovenia
- Natura 2000 Site Management Programme 2007-2013
- Resolution on the National Environmental Action Programme 2005-2012 (OG RS, No. 2/2006)
- Reports on implementation of the EU legislation to EC, available on:
http://www.mop.gov.si/si/delovna_podrocja/narava/
- Natura 2000 Site Management Programme 2007-2013

1.1.3.4 Environmental Impact Assessment and Strategic Environmental Assessment

Environmental Impact Assessment: In Slovenia, the system of environmental impact assessment complies with the EU Directives regulating the assessment of environmental impacts (Directive 85/337/EEC on the assessment of certain public and private projects on the environment, Directive 97/11/EEC amending Directive 85/337/EEC and Directive 2003/35/EC providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/227/EEC and 96/61/EC).

Environmental impact assessment (EIA) has been implemented in Slovenia since 1993. An application for environmental consent must include a project plan with relevant supporting documentation, as well as an environmental impact report prepared according to a defined procedure

and audited by an authorized person. Based on these documents, the Slovenian Environmental Agency (ARSO) carries out an environmental impact assessment with the involvement of other stakeholders. The ARSO subsequently grants or refuses an environmental consent. It may stipulate certain conditions, limitations or instructions for mitigating negative environmental impacts. The number of consent applications increased from 77 in 2000 to 120 in 2003, but fell to 10 in 2010, due to fewer projects being developed in the post-crisis period, with 5 applications rejected by the ARSO.

In practice, there are a number of problems with EIA implementation. Most commonly, the EIA procedure is carried out after a project has been included in a spatial plan. At this stage it is hard to stop the project regardless of its environmental impact. Moreover, developers try to limit public participation by claiming that the area affected by the project is negligible (the lack of corresponding rules is an example of a regulatory loophole).

Strategic Environmental Assessment (SEA) is obligatory for plans, programmes and policies with a significant environmental impact. These include all plans that contain projects for which an EIA is required (e.g. all infrastructure programmes), plans for the Natura 2000 nature protection areas, spatial planning acts, and various sectoral programmes at the local and national levels. In addition, the Ministry of Agriculture and the Environment has the power to require a SEA for any other plan or programme if the Ministry considers that it may have a significant environmental impact, although this sometimes leads to duplication with the EIA.

The SEA has been implemented at the national level in the case of operational programmes for rural development, regional development, fisheries and cross-border cooperation. At the local level, SEAs are required for spatial development strategies and land use plans, but they are rarely carried out. Lack of public participation leads to a situation in which an SEA almost always results in a positive decision. Local authorities respect the letter, but often not the spirit of the law. In 2010, 244 plans and programmes were screened to determine whether an SEA should be conducted; 36 were actually assessed, and only one proposal was rejected for reasons of biodiversity conservation. The Ministry needs to do more to enforce the SEA requirements for local spatial plans and encourage engagement of the public in this process.

The following regulations apply in this area:

- Environment Protection Act (OG RS, Nos. 39/06, 49/2006, 66/2006-odl. US, 33/2007-ZPNačrt, 70/2008 and 108/2'09);
- Nature Conservation Act (OG RS, No. 96/2004);
- Decree on Special Protection Areas (Natura 2000 Areas) (OG RS, No. 49/2004);
- Decree Amending the Decree on Special Protection Areas (Natura 2000 Areas) (OG RS, Nos. 110/2004, 59/2007 and 43/2008);
- Decree on the Categories of Activities for Which an Environmental Impact Assessment Is Mandatory (OG RS, Nos. 78/2006, 72/2007, 32/2009 and 95/2011);
- Decree Laying down the Content of Environmental Report and on Detailed Procedure for the Assessment of the Effects of Certain Plans and Programmes on the Environment (OG RS, No. 73/2005);
- Decree on the Criteria for Determining the Likely Significance of Environmental Effects of Certain Plans, Programmes or Other Acts and Its Modifications in the Environmental Assessment Procedure (OG RS, No. 9/2009).

1.1.4 International agreements

Slovenia is a signatory to the Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona Convention), which was ratified by Act Ratifying the Convention for the Protection of the Mediterranean Sea Against Pollution, the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft, and the Protocol concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency (OG RS-MP, Nos. 26/2002, 1/2004, 13/1993 and 16/2009). In 2005, the Republic of Slovenia and other Parties to the Barcelona Convention adopted the Mediterranean Strategy for Sustainable Development.

The Republic of Slovenia is active within the Round Table on the Environmental Protection of the Adriatic-Ionian Initiative. It supports the establishment of the Macro-Region with a view to more effectively achieve good environmental status of the Adriatic Sea.

The mixed Slovenian-Croatian-Italian-Montenegrin Joint Commission for the protection of the Adriatic Sea and coastal areas was established on the basis of the Agreement on Cooperation for the Protection of the Waters of the Adriatic Sea and Coastal Zones against Pollution (OG SFRY – MP, No. 2/1977), which was ratified by Decree Ratifying the Agreement between the Socialist Federal Republic of Yugoslavia and the Republic of Italy on Cooperation in Protection of the Waters of the Adriatic Sea and Coastal Zones against Pollution (OG SFRY – MP, No. 2/1977) and Act on Nostrification of the Succession of the Agreement of Former Yugoslavia with the Republic of Italy (OG RS – MP, No. 11/1992). At the Commission's meeting in 2008, all Adriatic countries signed a Joint Statement on Environmental Protection of the Adriatic Sea.

For the purpose of implementing the Joint Statement and ensuring effective cooperation to achieve the goals of Directive 2008/56/EC, a Sub-Commission was established for coordination of the implementation of adopted international and European obligations relating to good environmental status in the sub-region or the Adriatic ecoregion. On 17 December 2009, the National Assembly of the Republic of Slovenia adopted the Resolution on Strategy for the Adriatic Sea (OG RS, No. 106/2009), with which the National Assembly calls on the Government of the Republic of Slovenia to continue and promote its efforts in respect of the protection of the Adriatic Sea and, in pursuit of the implementation of the Directive, to support coordinated preparation of the Marine Strategy for the Adriatic sub-region.