

**Foreword**

**Protection of the Brown Bear in Slovenia**

Slovenia is one of the rare countries that can boast of the presence of all three great beasts – brown bear, wolf and lynx. This is an extraordinary natural asset for the conservation of which we are responsible to ourselves as well as to the international community. At present we have become more aware of the functioning principles of nature and the interconnection and interdependence of its elements. We know how important the conservation of biotic diversity is. We cannot allow for spontaneous and uncontrolled interventions in nature anymore, which in the period of the most intensive persecution have brought the brown bear to the very brink of extinction.

By the signature and the ratification of the Convention on Biological Diversity Slovenia has accepted an additional responsibility for the conservation of biotic diversity that also includes the brown bear.

The obligation to conserve this species has also been accepted by our ratification of the Bern Convention on the Conservation of European Wildlife and Natural Habitats and by our ratification of the Convention on International Trade in Endangered Species (CITES).

EU regulations pay full attention to conservation of the brown bear; it is listed in Annexes II and IV of directives on the protection of flora, fauna and habitats, and marked as a priority species for which compulsory protection is required. Besides strict direct protection of specimens of the species listed in Annex IV, Annex II requires creation for the listed species of special protection areas that can potentially be included in the Natura 2000 network. Exceptions to strict protection are allowed, if prevention of serious damage is needed or human health is threatened.

According to its biological features brown bear is a demanding animal species that needs a large, well preserved space with as little as possible human presence. We realise that such space is nowadays disappearing and the bear is becoming ever more threatened. Simultaneously we need to take into consideration that the bear is a predator whose prey can also be domestic animals and that it can potentially also be dangerous to people. Its protection is thus a difficult task.

The Parliament and the Government have charged the Ministry of Agriculture, Forestry and Food and the Ministry of the Environment and Spatial Planning to prepare a management strategy for the brown bear. The strategy should determine directives and measures for the protection of the living space of the brown bear in order to ensure a long-term conservation of the species and a symbiosis between the bear and the man.

**Jana Vidic, MA, Counsellor to the Government**

## Feature

### **SECOND MEETING OF THE SIGNATORIES TO THE AARHUS CONVENTION IN DUBROVNIK**

I. The Aarhus Convention was adopted and signed at the ministerial conference *Environment for Europe* in Aarhus, Denmark in 1998. It is the first international treaty entirely intended to motivate participative democracy in the contemporary world. It regulates three fundamental democratic rights of civil society in the area of environmental protection:

- the free access to environmental information,
- the possibility to participate in environmental decision-making process,
- the free access to legal instruments for protection of the right to be informed and for the public to participate in environmental decision-making processes.

The Convention thus recognises the right to a healthy environment. In order to ensure the protection of this vital right, the Convention gives additional rights:

- the right to be informed (the first pillar),
- the right to participate in environmental decision-making processes (the second pillar),
- the right to accede to legal rights in environmental matters (the third pillar).

One of the principal objectives of the Convention is to ensure through the above mentioned rights a sustainable i. e. environmentally sound development and the protection of the right of each individual of present and future generations to live in an environment suitable for his health and welfare.

Environmental non-governmental organisations were the key factors in the creation of the Convention by which the active partnership, the cooperation in environmental decision-making and the implementation of adopted decisions have been made possible.

If people identify more strongly with an adopted decision, and if they are more aware of the relation between the fundamental right to a healthy environment and our duty to conserve it, we should be able to implement environmental decisions in a more efficient way.

II. On July 3 – 5 the second meeting of the signatories of the Aarhus Convention was held in Dubrovnik, Croatia. The main purpose of the meeting was to review the implemented activities aimed at an early enforcement of the Convention at the international level as well as to adopt the programme of future activities. The meeting was carried out in the light of recommendations for the earliest ratification of the Convention and it served as a preparation for two key international events in the area of environmental protection, the Rio +10 and the fifth conference *Environment for Europe* in 2002 in Kiev. The debate showed that parties took the Convention seriously and that they have been actively preparing for its ratification and implementation. According to the statements of the participating countries it has been estimated that the Convention would come into force in the first half of 2001 when sixteen states would have deposited their ratification documents.

At the meeting the signatories were informed about the work accomplished by the working groups for coordination mechanisms, polluters' registers and genetically modified organisms that had been created at the first meeting of the signatories last year in Moldavia. It was decided that the majority of the working groups would continue their work in accordance with the directives put forward during the debate, and prepare adequate reports for the first meeting of the contracting parties to the Convention (foreseen for Autumn 2001). New

working groups have been created, namely for the third pillar (access to the right in environmental matters), for information means and for public participation in programmes, policy and legislation generated by the Convention on Environmental Impact Assessment in the Transboundary Context. The participants were among other things also presented with an implementation manual for the Convention and a report on the local public participation workshop that had been held in Great Britain last Autumn.

### III. What comes next?

In accordance with the governmental work programme Slovenia notified the signatories that we intended to ratify the Convention by the end of the year. Together with the assessment of the consequences the ratification represents a foundation to prepare an implementation program for the Convention.

By the ratification of the Convention and its implementation, activities which were previously dispersed will now form a framework foundation for a more coherent co-operation between the Ministry of the Environment and Spatial Planning and non-governmental organisations as well as for all the key issues encompassed in the Convention. This approach will have to be included in a larger vision of sustainable development and will have to become clearer, more systematic, creative and effective, when it comes to the most relevant institutions and people in charge.

It is a fact that the Convention is closely related to Slovenia's EU accession process, particularly in regard to the adoption of the *acquis communautaire* in the environmental area. It has also become clear that the regulation of the Aarhus Convention will have to be considered when implementing certain conventions in the area of environmental protection. Furthermore, the enforcement of this Convention is closely related to the implementation of the National Environmental Protection Programme as well as to its completion in the areas dealt with by the Convention.

It is a fact that the implementation of the Convention will require networking and co-operation among key actors in public administration and civil society. It is also a form of pressure in a way that through a functional dialogue, awareness raising and training the existing institutions in the area of environmental protection will be upgraded and new forms of sustainable development will be introduced.

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### *In brief*

#### **NEW STAFF AT THE MINISTRY FOR THE ENVIRONMENT AND SPATIAL PLANNING**

With the appointment of the new Government in the Summer some minor staff changes took place at the Ministry of the Environment and Spatial Planning. All State Secretaries presented their resignation when the Government changed. The new Minister for the Environment and Spatial Planning, Andrej Umek, Ph.D. accepted the resignations of Dušan Blaganje, MA, State Secretary for Spatial Planning and Radovan Tavzes, MA, State Secretary for Environmental Risks. Marko Slokar, formerly in charge of the Office for the Environment, has been appointed State Secretary in the Office for European Affairs, which also covers international environmental projects (Phare, Life, Ispa, Eionet, Taiex). State Secretary Marjan Vezjak, Ph.D, is now managing the Office for the Environment covering the area of waters, environmental risks and nature. State Vice-Secretary Mladen Berginc is still in charge of the area of nature. The Office for Spatial Planning, which is also responsible for

the post-earthquake reconstruction of the Posočje region, is now being managed by State Secretary Niko Jurca. The Office for Systemic and Legal Issues will now be the responsibility of the new State Secretary Margareta Srebotnjak Borsellino.

Also newly appointed are State Vice-Secretary Bernarda Podlipnik, MA, in charge of the area of waters, and the Head of the Minister's cabinet Janez Vertačnik. Everything else remained unchanged, including the managers of various departments in the Ministry.

The principal objective of the Ministry is to accelerate the harmonisation of the *acquis communautaire* - not only the harmonisation, but also the efforts to modernise official bodies and other institutions necessary for the implementation of new regulations. By modernising the administration we could achieve a greater administrative efficiency, which is one of the fundamental objectives of the EU.

The Ministry will intercede with the Parliament that the latter will adopt the legislation on waters (already filed in the first Parliamentary reading) at its earliest convenience. We intend to study comments gathered during the public debate and include eventual modifications in the text for the second Parliamentary reading. The Environmental Protection Act needs to be amended and completed according to the EU *acquis*, particularly in the area that requires adoption of a legal mechanism for integrated prevention and control of pollution (IPPC). An important task of the Ministry will also be to prepare amendments to the Public Companies Act. The Act should enforce competition in this area and co-ordinate it with certain essential EU regulations, for example the adoption of independent regulators, the separation of activities, the performance of public services on the basis of a license system etc.

The Ministry will co-operate with the Ministry of Finance and prepare a special law to regulate concessions in the area of infrastructure. Along with the Water Act the Ministry will prepare the National Water Management Programme.

In order to administer space in the best possible way the Ministry will file a Spatial Management Act into the parliamentary procedure. It is as a draft law that has already been transmitted to concerned independent experts. In October the Ministry will also file the Building Act into parliamentary procedure. In the area of the environment the Ministry set itself the task that it should solve the issue of waste disposal as quickly and adequately as possible. The priority will be given to environmentally harmless waste treatment, reuse and recycling, and incineration of waste will only be permitted, when there is not a slightest controversy involved. By the end of 2002 the Ministry will determine the location for final disposal of low- and medium level radioactive waste in co-operation with local communities. A priority task for the Ministry will also be the preparation of a management strategy for the brown bear and the protection of the Mirtoviški brook.

The Ministry carries on the activities aimed at the enforcement of the National Housing Saving Scheme - the negotiations with banks are already taking place. We expect that the programme will start next Autumn. The elimination of the effects of the Posočje earthquake also continues and the renovation is successfully being carried out.

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## **EXPERT MEETING OF NATURE PROTECTION AUTHORITIES OF SLOVENIA AND CROATIA**

On June 16 a bilateral expert meeting was held for the delegations of official nature protection authorities of Slovenia and Croatia in Ižakovci close to Beltinci (Prekmurje). The expert meetings of both official institutions in the area of nature protection make part of a

regular, continuous and successful technical co-operation in solving nature protection issues that goes back for decades. This time the meeting was motivated by the innovations in the Nature Protection Act (Ur. L. RS, No. 56/99) that was adopted last year, by the reorganisation and functioning of the nature protection authorities of both countries and by the common efforts and needs for co-ordination regarding border areas, which require bilateral co-operation for the protection of their nature to European standards.

In a mutual exchange of technical experiences the organisation of both nature protection authorities was wholly presented by particular sectors, including the activities of regional units for nature protection. It should be noted that the Croatian Nature Protection Authority is equivalent to the nature protection sector at the Nature Protection Authority of RS.

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### **Conventions**

#### **SLOVENIA WANTS TO JOIN THE CONVENTION ON THE TRANSBOUNDARY EFFECTS OF INDUSTRIAL ACCIDENTS**

On August 3 the Government adopted an initiative that Slovenia was to join the UN Convention on Transboundary Effects of Industrial Accidents.

The UN Economic Commission **for Europe** launched the Convention on the Transboundary Effects of Industrial Accidents in order to protect people and the environment from harmful effects of such accidents and to establish the conditions for safe economic development.

The Convention encompasses preventive measures for industrial accidents, preparedness for them and the mutual assistance of the contracting parties to the Convention in case of industrial accidents that could have transboundary effects. The Convention binds its parties to mutual co-operation in research and developmental activities and to the exchange of technological and other data concerning industrial accidents. In order to ensure a comparable safety level regarding industrial accidents among the parties to the Convention, special attention is being paid to preventive measures and to preparedness in case of such an accident. The Convention's regulations are in accordance with Slovenia's efforts towards EU accession. The EU Council adopted the Convention on March 23 two years ago and thus made the Convention a part of the EU *acquis communautaire*. So far 16 states have ratified the Convention. It came into force on April 19 2000.

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#### **SLOVENIA'S CHANGE OF STATUS IN REGARD TO ARTICLE 5 OF THE MONTREAL PROTOCOL**

On August 3 the Government adopted the change of status of the Republic of Slovenia, which is now one of the contracting parties not listed according to Article 5 of the Montreal Protocol.

The Article 5 of the Montreal Protocol regulates facilities for developing countries, which are about to abandon use of controlled substances. In Article 10 the Protocol provides for financial mechanisms that oblige other countries to contribute funds to a multilateral fund. The fund finances programmes for abandonment of use of controlled substances in

developing countries. Slovenia as the successor of the SFRY retained the status of a developing country and was listed among the countries in Article 5 under condition that it did not produce more than 0,3 kg per head of ozone depleting substances. In spite of that status it did not receive any assistance from the multilateral fund. With the co-operation of domestic companies and its own funding Slovenia has managed to give up or reduce the production of ozone depleting substances in accordance with the Montreal Protocol. In the implementation of obligations from the Montreal Protocol our country has reached the level of unlisted developed countries and thus does not need the status according to Article 5. The only advantage of the previous status was that we did not have to contribute to the multilateral fund; a disadvantage was that it could hamper the co-ordination of Slovenia's interests with the EU

The reasons for Slovenia's change of status are practical and political. They have to do above all with the participation of Slovenia in the parties' meetings and in the activities of the bodies of the Montreal Protocol. Slovenia has previously had to formally endorse the interests of the G77 group and China that lobbied for lower production limitations and the highest possible financial contributions by developed countries.

Slovenia's interests are different because it has to protect the competitiveness of its own industry that has already adopted strict environmental standards, because of its successful environmental policy in this area and the fact that it can no longer expect any financial assistance. The EU and the associated countries mostly require higher limitations than some other developed countries. Slovenia as an associated country is naturally expected to defend the EU position. Such action lacked credibility because of the former status, in particular from the perspective of the listed countries. Among the associated countries Slovenia is the only one not contributing to the multilateral fund although it is formally entitled to lower limitations and has an essentially higher GDP at the same time. From that viewpoint Slovenia has not been in a position to defend and express its views credibly. The change of status is also a logical consequence of the legislative harmonisation with the EU. As the consequence of the change of Slovenia's status in regard to the Montreal Protocol we are from now on obliged to pay a yearly contribution to the multilateral fund that will sum up to approximately \$ 100 000. We shall start contributing next year.

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## **THE EMERALD NETWORK EXPERT MEETING**

On September 18 and 19 an expert meeting was held for the Emerald Network at the Council of Europe in Strasbourg. The network is a part of the Bern Convention, and is closely linked to the EU Natura 2000 network. The representatives of the first five countries, which carried out a pilot project in 1999 (Slovenia included) reported on the project results and agreed upon the future activities. We drew attention to technical and substantial deficiencies but overall the project was estimated very suitable for the EU associated countries since most of the work necessary for the preparation of the Natura 2000 could be done in advance. We were able to prepare all of the specific data regarding Slovenia for the programme software, as for example the bio-geographical regions, the system of nature protection areas, the division of Slovenia by statistical standards etc. The areas of the Emerald Network are determined by principles similar to those of Natura 2000, the foundation for the selection of areas being the habitat types as listed in Resolution No. 6, and the species from the Resolution No. 4, of the Bern Convention. At the meeting an explanatory manual for the

Emerald habitat types in the PHARE countries was presented. All materials are accessible at the EIONET CIRCA (<http://nfp-si.eionet.eu.int:8980/Public/irc/eionet-circle/Home/main>).

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## Projects

### **THE PRIMORSKA WIND POWER PLANT PROJECT**

In last April the Ministry of Economy issued a proposal to include the wind power plants in the Primorska area into spatial elements of the RS long-term plan for the period 1986-2000. The proposal was justified by a feasibility study carried out by the Agency for the Efficient Use of Energy in last April.

The *Wind Atlas for Central European Countries*, a project managed by Austria, recorded meteorological data for some characteristic places in Slovenia. The selected characteristic locations were Ajdovščina, Brnik, Krško, Maribor and Portorož, but the data suggested that existing measurement points did not show favourable conditions for an economic use of wind energy in our country.

At the end of 1998 the local community of Vipava together with the Spanish land of Navarra applied to EU ECOS Ouverture programme and succeeded in acquiring funds for a wind potential assessment project with the purpose of energy production in the Primorska area. Last year eight measurement stations were built there. On the basis of the measurements that have been carried out so far, the feasibility of construction of wind power plants has been established at four locations:

- Gora above Ajdovščina with MW 82,5 of total power (110 sails)
- Nanos above Vipava with MW 70,5 of total power (94 sails)
- the Volovja slope at Ilirska Bistrica with MW 60,75 of total power (81 sails) and
- Banjščica above Nova Gorica with MW 73,5 of total power (98 sails)

The wind power plants have been planned as a complex of standardised units - sails - which compose a power plant field or farm.

The construction of wind power plants of enhanced power is not new. At the beginning of 1970s the Danes led the way in Europe and today the exploitation of this renewable energy source is rapidly progressing. The exploitation of wind energy for the production of electricity is becoming more and more attractive and it has been foreseen that the yearly increase of installed capacities in the world would reach 20%. The 1997 EU White book on renewable energy sources estimated that the increase of the EU exploitation would increase from the 1997 level of 6%, to 12 % by 2010. It has been planned that the increase of capacities for the production of wind generated energy would be multiplied by eight.

Energy production from renewable sources in Slovenia is still modest. Yet, thanks to EU integration we will have to follow these trends. The Primorska project is the first attempt to construct wind power plants of enhanced power in our country. In accordance with the enforced spatial legislation, wind power plants are undoubtedly an element that needs to appear and be determined in the spatial contents of mid-term and long-term official plans. Their spatial installation needs to have been previously studied from all sides and coordinated with other forms of use of space. It should not threaten the interests of other users.

Prior to the start of the planning procedure the Office of RS for Spatial Planning have thoroughly studied the proposal made by the Ministry of Economy and stated that a study of wind processing and the regionalisation of Slovenia in regard to the wind potential needed to be accomplished. The study should also include all formerly identified potential locations for exploitation of wind energy, yet avoid already designated nature protection areas, or those areas that are foreseen for protection. Before the work continues a thorough assessment of environmental impacts in accordance with the Environmental Protection Act needs to be completed, which will encompass all aspects of the location of wind power plants.

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### Calendar

**September 22** - European Car Free Day

**September 26** - Hrpelje: The closing ceremony and presentation of projects co-funded in the framework of the Phare Cross-border Co-operation program for Slovenia and Italy (1997) Regional Environmental Centre for Central and Eastern Europe, Slovenska 5, Ljubljana, Phone/Fax: + 386 1 425 7065

**September 28** - Ljubljana: workshop organised by the Global Environmental Facility. The purpose of the workshop is to present key information necessary for preparation of project proposals on climate change that could be co-funded by GEF. Regional Environmental Centre for Central and Eastern Europe, Slovenska 5, Ljubljana, Phone/Fax: + 386 1 425 7065

**September 28 and 29** - Portorož: seminar entitled "Sources and Quality of Drinking Water", organised by the Institute for Technical Education and Development. Institute for Technical Education and Development, Langusova 21, Ljubljana, Phone: + 386 1 425 3120, Fax: + 386 1 251 3467

**October 6 and 7** - Gozd Martuljek: Workshop entitled "Preparation of a Co-operation Program for Non-governmental Organisations and the Ministry of the Environment and Spatial Planning of RS; Support to the Ratification and Implementation of the Aarhus Convention in Slovenia". The objective of the workshop is to establish better communication and more effective co-operation between non-governmental organisations and the Ministry and consequently, more successful public participation in environmental processes. Regional Environmental Centre for Central and Eastern Europe, Slovenska 5, Ljubljana, Phone/Fax: + 386 1 425 7065

**October 9** - Brussels: Following an invitation of the EU Commissioner for the Environment Margot Walstrom an informal ministerial meeting for the accession countries will be held. The Minister of the Environment and Spatial Planning Andrej Umek, Ph.D. and State Secretary Marko Slokar will attend the meeting.

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**October 13** - Ljubljana (the Slon Hotel): seminar Green Partnership with the Purpose of Promoting Co-operation between Companies and Non-governmental Organisations, organised by Umanotera, the Slovenian Foundation for Sustainable Development, with the financial assistance of the Ministry of the Environment and Spatial Planning and British Grants Slovenia.

Ksenija Berk, Umanotera, Phone: + 386 1 439 7100, <http://www.umanotera.org>

**October 18-21** - Bled: 13<sup>th</sup> ecological seminar for pupils and students on the organisation of the Zasavje Ecological Group – EKOS Zasavje  
Aleš Matko, EKOS Zasavje, Phone: + 386 3 563 2820, Fax: + 386 3 563 2821,  
Ekos.Zasavje@guest.arnes.si

**October 25 and 26** - two-day seminar entitled “Environmental Protection – Industry – EU Accession”, organised by the Association of Mandataries for Environmental Protection  
Breda Kosi, Cinkarna Celje - Environmental Protection Office, Kidričeva 26, Celje, Phone: + 386 3 541 2607

**December 7 and 8** - Ljubljana: seminar entitled “Industrial Feed Water 2000”, organised by the Institute for Technical Education and Development.  
Institute for Technical Education and Development, Langusova 21, Ljubljana, Phone: + 386 1 425 3120, Fax: + 386 1 251 3467