BRIEFING No. 6

ENVIRONMENT POLICY IN SLOVENIA
The views expressed in this document do not necessarily reflect the official opinion of the European Parliament.

Summary

The serious environmental problems found in other Central and Eastern European countries also exist in Slovenia, but to a lesser extent.

The enactment of national provisions which are in line with EU legislation should not pose any problems in the medium term. Actual implementation of such provisions, however, is likely to be possible only in the long term and will probably entail substantial expenditure in the form of investment in environmental protection measures.

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I. Foreword

Slovenia covers an area of 20,255 km² and has a population of about 2 million. It borders Italy, Austria, Croatia and Hungary. Ljubljana, the capital, is the biggest city, with about 300,000 inhabitants.

The Republic of Slovenia declared its independence from Yugoslavia on 26 June 1991 and was recognized by the European Community as an independent state on 15 January 1992. Diplomatic relations were established on 13 April 1993.

II. Environment policy

1. General

Environmental awareness developed relatively early in Slovenia, but not until the 1980s was it scientifically established that, in some places, pollution had reached such proportions as to constitute a serious threat to human life and the country’s basic natural resources. The existing political and social conditions were found to be a key barrier to the development of effective environmental legislation. Nevertheless, it was during this period in Slovenia that eastern Europe’s first fund for the environment was set up, that polluters were made responsible for the damage they caused and that an environmental tax was introduced.

Since gaining independence, Slovenia has striven to attain as quickly as possible a level of development that will enable it to achieve early membership of the European Union.

Whilst priority was initially given almost exclusively to boosting economic efficiency as part of the transition to a market economy and to resolving the associated problems, awareness that substantial efforts must also be made to protect the environment has further increased. However, investment earmarked for the environment accounted for only 2.8% of overall investment in 1996.

2. Horizontal legislation

2.1 Constitution

The Constitution of the Republic of Slovenia adopted on 23 December 1991 contains a number of provisions concerning the protection of the environment: the State is responsible for protecting nature and maintaining a healthy environment; every citizen is obliged to protect nature; in addition to its social and economic roles, private ownership is also intended to have an ecological role.

A separate working paper 'Environment policy and enlargement' (PE 167.402) has been published by the Task Force on Enlargement and deals with the environmental aspects of enlargement.
2.2 Framework environmental protection legislation
The Environmental Protection Act (EPA) was enacted in June 1993 on the basis of the new Constitution. This basic framework legislation covers the protection of land, water and air, flora and fauna and the use of natural resources, establishes objectives, principles and instruments for the practical and effective protection of the environment and allocates decision-making powers amongst the various authorities. The EPA is based on existing EU legislation and geared towards the objectives set out in Agenda 21.

A large number of environmental provisions have been adopted on the basis of the EPA since 1994. The EPA also provides for a National Environmental Action Programme (NEAP) to be drawn up and for environmental impact assessments to be carried out for all projects which could have adverse effects on the environment.

The EPA was also the basis for the introduction of a national environmental protection information system intended to ensure coordination of monitoring systems and the specific measures to be taken and to give the public access to information of relevance to the environment.

The EPA provides for the award of eco-labels for particularly environment-friendly products. However, as with the introduction of an eco-audit system (EMAS) and integrated pollution prevention and control (IPPC) measures, the necessary legal conditions have not yet been created.

An environmental development fund was set up in 1994 as a financial instrument for investment, replacing the existing environment fund.

Environmental provisions have also been incorporated in civil and criminal law.

2.3 Principles of environmental law
The objectives and principles of the EPA are geared towards sustainable development. The EPA embraces the polluter-pays and pollution prevention principles and stipulates that incentives should be provided for environment-friendly conduct and the use environment-friendly technologies.

3. Institutions

3.1 Government bodies
The Slovenian Ministry of the Environment and Physical Planning (MoEPP) has been reorganized several times in recent years. Its remit was originally focused mainly on the protection of water resources but was subsequently extended to include all areas of environmental protection and, since 1995, nature conservation as well.

The Nature Protection Agency, the Geophysical Monitoring Authority and the Nuclear Inspectorate come under the MoEPP.

Other ministries are also responsible for specific areas, such the Ministry of Health in the case of drinking water quality and the Ministry of Agriculture in the case of forest management.

Local authorities are responsible for implementing government decisions on environmental policy but also have jurisdiction in matters of local significance.
A Council for Environmental Protection was set up by the Slovenian Parliament in 1993 on the basis of the EPA. It is composed of scientists and its purpose is to submit proposals for environmental standards and action programmes to the government.

3.2 Non-governmental organizations (NGOs)
Some 50 to 60 NGOs, which have a not inconsiderable influence on public opinion, were active in the environmental protection and nature conservation spheres in Slovenia in the mid-1990s. They predominantly operate at the local level and focus on issues such as environmental education, sustainable farming and low-input power production.

The MoEPP is seeking to step up cooperation and has said that it is prepared to provide financial support, albeit only very modest, for individual projects.

III. Situation in individual sectors of the environment and current legal position

1. General

In Slovenia, unlike other Central and Eastern European countries, there are no critical environmental hot spots. However, there are very serious and, in some cases, growing problems, especially as regards water quality, waste management and air and soil pollution.

2. Air

2.1 Situation

Whilst air quality has improved a little in recent years, air pollution remains a key environmental problem for Slovenia.

The main sources of air pollution are industrial and thermal power plants (82% of SO\textsubscript{2} and 40% of CO\textsubscript{2} emissions) and road transport (70% of NO\textsubscript{x}, 90% of CO and 30% of CO\textsubscript{2} emissions) (1995 data).

Areas close to coal-fired power stations and, in particular during the winter months, the larger towns and cities suffer from high SO\textsubscript{2} concentrations. However, SO\textsubscript{2} emissions have declined continuously since the early 1980s (falling by about 40% between 1990-95 and by 32% in the 1994-95 period alone). This has happened because the plants concerned have cut their production and some new technology has been introduced.

By contrast, NO\textsubscript{x} pollution has increased markedly since 1991 (by about 6% between 1987 and 1994) because of an increase in road traffic due to a combination of higher car ownership and relatively low fuel prices. The same is true of CO emissions (which increased by 20% between 1990 and 1995) and, to a lesser extent, of CO\textsubscript{2} emissions. This means that areas close to main roads and conurbations such as Ljubljana are particularly heavily polluted. Traffic levels are likely to rise further in the near future, especially as a result of transit traffic and growth in tourism.
The following table indicates the levels of the various air pollutants emitted:

**Table 1**

<table>
<thead>
<tr>
<th>Year</th>
<th>SO₂</th>
<th>NOₓ</th>
<th>CO</th>
<th>CO₂ (in m tonnes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>195 000</td>
<td>56 500</td>
<td>76 600</td>
<td>13.6</td>
</tr>
<tr>
<td>1993</td>
<td>182 800</td>
<td>61 300</td>
<td>87 000</td>
<td>13.3</td>
</tr>
<tr>
<td>1994</td>
<td>176 500</td>
<td>65 900</td>
<td>92 800</td>
<td>13.8</td>
</tr>
<tr>
<td>1995</td>
<td>119 300</td>
<td>66 600</td>
<td>91 400</td>
<td>14.2</td>
</tr>
</tbody>
</table>

*Source: Environmental Performance Review, Slovenia, United Nations 1997, p.48.*

Ozone pollution is a serious problem in all regions, especially during the summer months.

However, the use of HCFC-containing substances has been considerably reduced (it fell by about 78% in the 1986-94 period).

Efforts have been made in recent years to reduce air pollution: the use of fossil fuels at power stations and industrial plants has been cut, a switch to the use of lower sulphur content imported coal and natural gas has been speeded up, and a start has been made on modernizing technology so as to cut HCFC emissions, the aim being a gradual but substantial improvement with regard to all air pollutants by 2010.

### 2.2 Legal position

A number of regulations have entered into force since 1994/95 laying down limit values for certain air pollutants and quality requirements for fuels on the basis of the WHO guideline values and the specifications in the corresponding EU Directives. New plants must comply with the more stringent limit values, whereas existing plants need do so only after a transitional period.

In 1994, it became law for new and imported cars to be fitted with three-way catalytic converters and for all motor vehicles to undergo an annual technical inspection. However, there are still no financial incentives, such as tax concessions for low-emission vehicles. Arrangements were adopted in January 1997 for levying a tax on CO₂ emissions and are to be introduced gradually.

Improvements to the existing monitoring system are still on the drawing board, as is a national programme for action to combat air pollution, on which it is planned to cooperate closely with the European Environment Agency. Given the expectations of economic growth and an associated increase in energy consumption, the 1996 energy policy strategy is aimed at introducing measures to save energy and boost the use of energy from renewable sources.
3. **Water**

3.1 **Situation**

Slovenia is naturally rich in water resources.

Water consumption patterns have evolved in very different ways in recent years. In the 1980-94 period, household consumption rose by 21% but industrial consumption fell by about 50%.

The quality of surface water, which is not the main source of drinking water in Slovenia, has improved slightly since 1990, owing in particular to the fall in industrial production, which accounts for about 60% of water pollutants. Water quality in lakes and in coastal waters in the Adriatic is poor in places, however, which could affect the use of such areas for tourism. On the basis of existing EU standards, only 70-80% of bathing water was deemed to be of a satisfactory quality in 1997.

Whilst things have changed for the better overall, this is not true of ground water, which is heavily contaminated in some areas by nitrates and pesticides from intensive farming. In heavily industrialized areas, ground water tends to be contaminated by organic compounds, solvents, oils, heavy metals, etc. Inadequately contained waste disposal sites have caused contamination in a number of places, but radioactive contamination of ground water is not a significant problem.

The state of drinking water, 57% of which was abstracted from ground water in 1995, is, for the reasons mentioned above, not satisfactory everywhere. In 1995, drinking water supplies to 6.2% of the population were classified ‘unsatisfactory’.

The critical state of water quality is primarily due to the fact that only just over half of all waste water is treated and treatment plants are generally not equipped with the latest environmental technology.

It is assumed that only about 30% of urban waste water received ‘appropriate’ treatment within the meaning of the relevant EU legislation in 1997.

As well as having an adverse effect on water quality, inadequate waste water drainage systems and the lack of treatment plants also result in considerable soil contamination in many places. Relevant data is available only for individual regions and/or is gathered only occasionally by local authorities. The existing monitoring mechanisms are therefore not able to guarantee that a satisfactory standard is achieved.

3.2 **Legal position**

The basic legislation, the Water Act, dates from 1981 and was not replaced in its entirety by the EPA. The MoEPP is currently drafting a new Water Act and drawing up a national water resources strategy which is intended to give priority to the safeguarding of drinking water supplies. The draft National Environmental Action Programme (NEAP) also gives special priority to measures designed to protect water resources.

Legislation was passed in July 1996 requiring licences to be obtained for the discharge of pollutants and setting special objectives for a number of industries. A licence must always be obtained and a fee paid for the abstraction of water. On the other hand, municipalities have not been required by law to build waste water treatment systems, although a waste water tax introduced in 1995 does act as incentive for them to build such systems.
New legislation on the use of fertilizers and pesticides in farming are also designed to improve water (in particular ground water) quality. Drinking water standards are based on a 1987 law which does not comply fully with the 1993 WHO standards. More stringent limit values are currently being considered, and rules on bathing water quality on the Mediterranean coast are already in place.

4. Waste

4.1 Situation
Waste management has become more and more of a problem, in particular because of the rapid increase in untreated industrial and municipal waste and the proliferation of illegal dumps.

Industry has not taken due account of the need to dispose of hazardous waste appropriately. Coal-fired power stations in particular produce large amounts of ash and slag.

The volume of household waste has increased substantially in recent years as a result of urbanization and a generally higher standard of living which have changed patterns of consumption, although the volume of waste generated per capita is still below the EU average. By no means all households are served by an effective refuse collection system, although the situation has improved somewhat in this respect (about 76% of households served in 1996, compared with 64% in 1987).

There are still no municipal waste incineration plants in Slovenia. Proposals to build them have not yet got past the planning stage, so that landfill is the only option. The landfill sites, however, only partly meet technical and ecological requirements, and it is also expected that if current trends continue, the available capacity will be completely used up within a few years.

Very few landfills exist for the disposal of hazardous waste, which is therefore generally dumped in a makeshift fashion in industrial zones. A number of incineration plants do exist for such waste; some of them are operated by the firms that generate the waste. The technical standard of such plants and the associated licensing and monitoring procedures are regarded as inadequate.

Moreover, arrangements for the final storage of radioactive waste produced at the nuclear installations (cf. Section 6) have not been finalized.

4.2 Legal position
Provisions laying down requirements concerning the operation of incineration plants for hazardous waste, such as limit values for emissions and regular inspections, has been in force since 1994.

There are as yet no adequate rules on the incineration of municipal waste or on landfilling.

In 1996, on the basis of the EPA, the government drew up an integrated waste management policy, the medium-term objectives of which are to reduce the volume of waste, to introduce a recycling system and to adapt production technologies accordingly. The policy takes account of the criteria set by the EU in this area.
5. **Nature conservation**

5.1 **Situation**
The environmental problems outlined above represent a risk for the country’s extremely diverse flora and fauna. In 1995, 62% of mammal species, 55% of bird species and 40% of fish species were endangered. A number of plant species are also endangered. Natural habitats and landscapes are at risk owing to uncontrolled private building activity, land consolidation schemes, river training schemes and the development of transport infrastructure, etc.

Forests cover approximately 53% of Slovenia. Of the forested area, 63% is protected and 70% has been transferred to private ownership in recent years. Pollution, in particular acid rain and SO₂ emissions, has caused considerable damage to the forests, coniferous forests being especially badly affected. Other problems are caused by increasingly intensive commercial use, the decline in investment in protection and conservation measures and natural disasters such as forest fires in the Karst region.

5.2 **Legal position**
The basic legal instrument for nature conservation is the 1981 Natural and Cultural Heritage Act, which provides only very inadequate coverage of certain areas such as the protection of species and natural habitats. Local authorities were responsible for taking individual measures until 1993. Since responsibility for nature conservation was transferred from the Ministry of Culture to the Ministry of the Environment at the end of 1994, more rules have been adopted at the national level in order to improve levels of protection.

For example, regulations on the protection of endangered animal and plant species have been adopted on the basis of the EPA. However, there are still gaps in the legislation on the protection of natural habitats and the control of trade in endangered species.

Slovenia has one national park (covering 4.2% of its territory), 34 nature reserves, 31 country parks with protected status and 720 sites of outstanding natural importance. Altogether, about 8% of the country’s territory is protected (1995).

Work has been in progress since 1993 on drawing up a nature conservation strategy to serve as a long-term basis for future policy. The intention is to give up to 20% of Slovenian territory protected status, although the required legal bases have not yet been created and the economic consequences have not yet been assessed. Nature conservation is also to be one of the priorities of the NEAP.

A new Forests Act was passed in 1994 and a Forest Development Programme was adopted in 1996, these being intended as a basis for ensuring that the forests return to a healthy state.
6. Nuclear safety

6.1 Situation
There are three nuclear installations on Slovenian territory: Krsko nuclear power station, a reactor centre at Podgorica and a uranium mine in Zirovski. The power station at Krsko is operated jointly with Croatia and is US-designed. Nuclear energy accounts for about 20% of energy supplies.

Slovenia has two storage facilities for low- and medium-level radioactive waste. They are inspected regularly and have so far not been the source of radioactive contamination.

6.2 Legal position
Responsibility for nuclear safety lies with an inspectorate, which was set up in 1988 and comes under the Ministry of the Environment.

Most nuclear safety legislation predates independence. Slovenia is planning to bring in further legislation in this area. There is no legislation concerning the provision of information to the public on possible nuclear risks.

The power station at Krsko is to be closed down by 2023 as part of the government's energy strategy, but regular safety inspections similar to those carried out in EU Member States are to continue until its closure. By 2023, a standard is to have been attained that fully meets EU requirements, inter alia as regards the disposal of radioactive waste. Given the commitments it has made to reduce CO₂ emissions, Slovenia is keeping open the option of using modernized nuclear technology as a key source of energy.

IV. Slovenia and the European Union

A Cooperation Agreement was signed between the European Community and Slovenia which entered into force on 1 September 1993. Article 9 of the Agreement stipulates that cooperation on environmental matters is to be encouraged.

1. Europe Agreement and the White Paper

The Europe Agreement was signed on 10 June 1996. It stipulates that Slovenia’s development policies are to be guided by the principle of sustainable development and should fully incorporate environmental considerations. It also identifies the environment as an area for bilateral cooperation as well as for the gradual approximation of legislation to that of the Community. The Slovenian Constitutional Court ruled on 5 June 1997 that an amendment to the Constitution was required before the Europe Agreement could be ratified. The EU Member States are expected to ratify the agreement in 1998.
The Europe Agreement with Slovenia provides for cooperation between Slovenia and the EU in areas which include:

- effective measurement and monitoring of pollution,
- action to combat local, regional and transboundary air and water pollution,
- classification and safe use of chemicals,
- reduction, improved recycling and safer disposal of waste,

The Agreement provides for the following instruments for the attainment of such objectives:

- transfer of technology and know-how,
- exchange of information and experts,
- training programmes,
- approximation of environmental legislation.

Slovenia submitted its application for membership of the European Union on 10 June 1996, and the Council decided to institute the procedure provided for in Article O of the Treaty on European Union, pursuant to which the Commission must be consulted. The Commission’s opinion was published in July 1997.

The White Paper on preparation of the Associated Countries of Central and Eastern Europe for integration into the internal market of the Union is part of the accession strategy. The annex to the White Paper listing the Community acquis to be transposed prior to accession includes 70 pieces of environmental legislation of relevance to the internal market. In its ‘Guide for implementation of EU environmental legislation’ of 25 August 1997, the Commission then added the legal acts that were not already listed in the White Paper.

2. **The Phare programme**

The Phare programme, which is designed to help the CEECs prepare for accession and mainly funds practical measures to support the applicant countries, is one of the most important Community programmes in the environmental sphere, too.

Under the Phare programme, Slovenia received ECU 91 m during the period from July 1992 up to and including 1996 to support the process of economic transition. A total of ECU 76 m has been made available for the period from 1996 to 1999.

In the period up to and including 1997, a total of ECU 4 m was used from the Phare budget to finance environmental programmes. Since 1995, support has taken the form of technical and organizational assistance, e.g. in the setting-up of the Environmental Development Fund and the Environmental Action Programme.
The following table shows Phare allocations made to the CEECs for environmental measures:

Table 2

<table>
<thead>
<tr>
<th></th>
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<th></th>
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<tr>
<td><strong>Environment and nuclear safety</strong></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Funds allocated by country 1990-1997 (ECU million)</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Albania</td>
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<td>1.5</td>
<td>6.7</td>
<td>11.5</td>
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<tr>
<td>Bosnia and Herzegovina</td>
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<td>Bulgaria</td>
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<td>7</td>
<td>6</td>
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<td>5</td>
</tr>
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<td>Hungary</td>
<td>47</td>
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<td>12</td>
<td>0</td>
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<td>Lithuania</td>
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<td>Poland</td>
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<td>22</td>
<td>5</td>
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<td>114</td>
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<td>0</td>
<td>8.4</td>
<td>35</td>
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<td>Slovakia</td>
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</tr>
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<td>Slovenia</td>
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<td>4</td>
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<td>Multi-country programmes</td>
<td>88.5</td>
<td>13</td>
<td>20</td>
<td>10</td>
<td>17</td>
<td>148.5</td>
</tr>
<tr>
<td>Other</td>
<td>20</td>
<td>23</td>
<td>20</td>
<td>15</td>
<td>11.7</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td>322.9</td>
<td>77.5</td>
<td>82</td>
<td>55.5</td>
<td>76.4</td>
<td>614.3</td>
</tr>
</tbody>
</table>

Source: European Commission, DG IA, F6 (19.3.1998).
3. **State of play as regards approximation of environmental legislation**

According to the Slovenian authorities\(^1\), the following legislation cited in the White Paper has since been enacted in Slovenia:

![Table 3](#)

<table>
<thead>
<tr>
<th>White Paper chapter - Environment -</th>
<th>Directives</th>
<th>Regulations</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Stage I*</td>
<td>Stage II/III*</td>
<td>Stage I</td>
</tr>
<tr>
<td>Slovenia</td>
<td>21</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Number of White Paper measures</td>
<td>31</td>
<td>7</td>
<td>7</td>
</tr>
</tbody>
</table>

* For the purpose of transposition, Stage I Directives and Regulations take priority over Stage II and III Directives and Regulations.

In the Commission’s view\(^2\), Slovenia’s environmental legislation has begun moving into line with that of the EU, this process having been stepped up since 1996. The EPA provides a suitable basis for environmental legislation as it covers all sectors of the environment, defines principles, objectives and basic measures, and is geared towards ensuring compliance with EU law. Gaps remain in sectoral and enforcement legislation, however, and information on the degree of compliance of recently adopted legislation with EU legislation is often insufficient. Slovenia’s legislative and administrative structures are plainly causing difficulties as regards bringing Slovenian environmental legislation and policies into line with those of the EU and ensuring that they are enforced.

As regards horizontal legislation, environmental impact assessments and unrestricted access to environmental information are enshrined in law, but there are still gaps in the rules on eco-labelling, the eco-audit system and integrated pollution prevention and control (IPPC). Extensive approximation of legislation on air and water quality and nature conservation has already taken place or is at the specific planning stage. However, essential EU requirements have yet to be met as regards waste management. In particular, there are also no convincing financing strategies for legislation requiring major investment. The same is true in the case of effective monitoring of enforcement of the improved environmental standards.

The Commission takes the view that, in order to significantly improve transposition of the *acquis*, priority must be given to increasing the national budget for environmental investment, easing administrative and parliamentary bottlenecks in developing new legislation, and further developing economic instruments. The country’s environmental accession strategy should include binding implementation timetables for meeting the EC environmental *acquis*.

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   The Commission makes it clear that inclusion of measures in the table does not indicate that it agrees with the analysis of the Slovenian authorities.

On this basis, full transposition of the environmental *acquis* in Slovenia can be expected in the medium term, if current plans for new framework and secondary implementation legislation are realized and implemented and if the NEAP and environmental accession strategy are quickly adopted. However, effective compliance with all the relevant provisions could be achieved only in the long term and will require a significant increase in environmental investment, as well as major efforts to reinforce administrative capacity.

V. Multilateral and bilateral relations

Since independence in 1991, Slovenia has signed a number of international conventions and agreements, most of which it has also ratified. It has also agreed to abide by the environmental commitments entered into by former Yugoslavia.

1. Multilateral relations

In the regional context, Slovenia has signed and/or ratified the international conventions on the protection of the Alps, the Danube and its tributaries and the Mediterranean. It has also acceded to other conventions such as those on biological diversity, the control of transboundary movements of hazardous wastes, climate change and protection of the ozone layer.

2. Bilateral relations

Slovenia maintains bilateral contractual relations with all its neighbours.

It cooperates with Austria, Hungary, Croatia and Italy notably on air pollution control, waste water management and cross-border traffic. In addition to international conventions on nuclear safety, it has in the last few years also signed and ratified bilateral agreements in particular concerning the mutual exchange of information in the event of incidents and accidents.
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Annex

Map of Slovenia