

## **Work package 1**

# **The Relevance of the Landscape Issue in Territorial Development Policies**

## **National Report Slovenia**

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## 1. INTRODUCTION - FRAMEWORK AND METHODOLOGY

This report presents the results of the first work package for the situation in Slovenija. WP1 entitled: “Identifying the relevance of the landscape issue in regional development policies”. It’s main objective is to find out to which extent the landscape issue is part of policies on national level as well as regional level and it is prepared as an input into joint results of the WP1 and following work packages of the RegAlp project.

With the adopted methodology we followed the proposal of GIUB, modified according to the partner’s comments and discussions of the 2<sup>nd</sup> team meeting and technical meeting in Bern and with the consideration of the specifics of the national situation. The latter can be characterised as different processes of transition with diverse consequences. Among these, the following particularly need to be mentioned:

- Transition of the centralized to the decentralized administration. The regional level of administration is at the moment in the process of establishment, therefore no legislation on the regional level is in force at present.
- Transition from the part of the federal state to the independent state. The relatively short period of existence of Slovenija as independent state means that some of the legislation and most of the perceivable effects are the heritage of the ex-Yugoslavian legislation. The legislation of Slovenija has not been in effect for long enough time for the effects to be adequately monitored and assessed.
- The transition from the socialistic to the market oriented economy caused an important gap in regulative instruments. This has important consequences particularly in those policy fields that normally rely on financial instruments.
- Transition from the non-EU to the EU member. The association with the EU means another process of transformation of the legislation in terms of harmonization with the *acquis*.

All these aspect made the policy screening and analysis quite a difficult and complex task. It is important to mention that focusing on the existing legislation may leave out some documents that have importantly influenced RD/CL in the recent past. However the criteria that were used inevitably had to consider cost-benefit-efficiency of the analysis. Therefore, past policies were not considered. Also the policies, which might have important landscape effect, but are dispersed across many different documents, were not considered. Typical example would be about 70 market regulations and regulations on subventions for different agricultural products which come under the Agriculture act. The criterion of information availability was not relevant as all the information of existing policies is easily available<sup>1</sup>. The description of individual tasks performed within the WP1 with the correspondent methodological approaches are given in Table 1.

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<sup>1</sup> Most of the recent laws can be freely accessed on the web pages of the National assembly: <http://www.dz-rs.si/si/aktualno/zakonodaja.html>. All other documents are accessible for the users of the IUS-Info database.

*Table 1: Description of individual tasks performed within the WPI with the correspondent methodological approaches*

<b>Task</b>	<b>Methodology</b>
Overview of the Cultural Landscape Discussion in Slovenija	Literature review, informal interviews, expert contributions
Overview of the administration network	Literature and web pages review
Selection of the policy fields for the analysis	Literature review, informal interviews, expert opinions
Selection of the documents for the analysis	Review of the sources of documents, informal interviews, expert opinions
Screening the policy documents regarding the RD/CL relation	Review of the contents of documents in official papers, web pages etc., expert opinions
Preparation of the screening results and summary	Expert contributions, verifications in group workshops
Preparation of the national report	Expert contributions, verification in group workshops

## 2. CULTURAL LANDSCAPE DISCUSSION IN SLOVENIJA

### 2.1 Review of the main phases of cultural landscape discussion

In Slovenia, the concern for landscape, its protection and guiding its development, is perhaps stressed so much because of Slovenian spatial features. This relatively small country of a little over 20.000 km<sup>2</sup> has five extremely diverse landscape systems: Alpine, Sub-Alpine, Pannonian, Dinaric, and Mediterranean. In addition, in the post World War II period Slovenia has largely lacked agricultural modernisation processes, and as a result many landscapes with traditional character of fragmented land subdivision have been preserved. The private ownership of the land has been conserved after some early efforts to create 'kolhoz' type of farms failed. The communist governments limited the size of the private farms to 10 ha of arable land and 50 ha of forests. This limitation was one of the main reasons that an average farm persisted at less than 5 ha of size.<sup>2</sup> As a consequence, part time farming has become the most widespread type of farming practice.<sup>3</sup> In this respect, there was not very much difference between different landscape regions.

The cultural landscape is an old issue that has been brought more intensively into the discussion during the 70-ties. At that time the building on urban fringes as well as in the open landscape has reached such an extent that had come a generally recognised, as well as widely discussed problem. The dissatisfaction with spatial development led to the adoption of strict legislation on agricultural land protection.<sup>4</sup> On the other side of the coin, the rough relief along with the above mentioned situation in the agricultural production is the main reason for the considerably wide spread abandoning of the arable land and overgrowing of it with the forest vegetation. It is estimated that 100 years ago the forest could be found on not more than 30% of the national territory while today they cover almost 60%.<sup>5</sup> The afforestation process has opened the discussion on cultural landscape protection from another point of view. It is the expression of the same concern, namely the concern of the rapid change of the rural environment. Cultural landscape has been used as one of the main lobbying arguments for supporting the economically

<sup>2</sup> 52,9% of all Slovenian farms are less than 2 ha of size

12,7% of all arable land in Slovenia is owned by the farms of less than 2 ha of size

40,0% of arable land is owned by the farms less than 5 ha of size

75,6% of arable land is owned by the farms less than 10 ha of size

5,2% of all arable land is owned by the farms of 20 and more hectares of size (Source: Poročilo, 1997)

<sup>3</sup> Structure of the farming households:

'clear' farms (no member of the household working out of the farm) 7,4 %

'mixed' farms (one or more members of the household are working out of the farm) 43,9%

non-agricultural farms (all members of the household are working out of the farm) 48,3%

(Source: Kovačič, 1997: 107)

<sup>4</sup> Act on Agricultural Land, Off. Bul. SRS 1/79 (Zakon, 1997)

<sup>5</sup> Official figures (Statistični letopis, 1996) are:

Year	1953	42,0% of the whole national territory
	1980	51,6%
	1990	52,9%
	1995	54,2%

Some expert estimate that well over 60% of the territory is forested today.

inefficient agriculture<sup>6</sup>. The discussion revealed the importance of the rural world, i.e. everything that concerns farmers and farms within the Slovenian value system. Thus, the conservation of cultural landscape has become an important public issue.

In Slovenia the natural heritage idea and the request of its conservation are even older. They go back into the end of the 19<sup>th</sup> Century when the first legislative measures have been adopted in order to protect endangered animal and plant species (Skoberne, 1994: 49). The proposal to protect an area in the alpine region has been launched as early as at the eve of the World War I and has remained unaccomplished until 20 years later when the first area within the today Triglav National Park was defined as Alpine Conservation Park<sup>7</sup>. This long period of conservation effort has prevented implementation of many development proposals within the core Slovenian Alpine area, e.g. skiing infrastructure, weekend house areas, summer tourist resorts etc.

Another important issue that influenced public concern about the cultural landscapes and spatial planning was the introduction of the comprehensive land use planning on the municipality level. In early seventies, the entire territory of Slovenia was covered by local spatial plans. The integration of landscape-related problems also started in this period. At that time, specific political circumstances, which were opening up the country to market-oriented economy, were – among other factors – also the cause for the environmental crisis to reach Slovenia. This crisis introduced a number of new spatial planning tools. At that time, the emphasis was laid on land use planning, which encouraged the sectors operating in landscape space, such as agriculture and forestry, to make efforts towards the conservation of natural resources, groundwater and water streams. Services responsible for natural and cultural heritage conservation significantly enlarged the number of the areas of outstanding natural and cultural value, as well as proposals for their normative protection. The building of infrastructure lines was an important source of the professional and later on of broader public concern that stimulated the discussion on landscape protection and enhancement.

The Green Book on the Environmental Degradation in Slovenia<sup>8</sup> published in 1972 was an early expression of the environmental concerns of that type. From that period the ‘battle’ against the dam for an electric power station in upper Soča valley, a river of great landscape and natural qualities in Alpine region, was an important issue. The outcome of the ‘battle’ in favour of the ‘against’ party was enabled mostly by broad public support. From that precedent case on no dams have been built in Alpine region although some proposals were elaborated.

The seventies also witnessed endeavours for the introduction of the environmental impact assessments. The first such assessment was made in 1972, with the purpose to facilitate a

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<sup>6</sup> The concept of the eco-social agriculture launched by the Ministry of Agriculture in 1993 reveals this form of instrumentalization of cultural landscapes. (Osterc, 1993)

<sup>7</sup> The first proposal was launched by A. Belar in 1908. In 1921 The Alpine Conservation Park was established. The legislative protection of the most attractive area has been implemented in 1961, and expanded in 1981 (Berginc, 1994:267).

<sup>8</sup> Publ.: Natural-science Society of Slovenia, Ljubljana, 1972. (Zelena, 1972). In the same period the books like *Silent Spring* by R. Carson (1972) and *The Limits to Growth* by Meadows et al. (1974) were translated into Slovene.

decision on appropriate location for an oil refinery in the outskirts of Ljubljana.<sup>9</sup> This assessment dealt primarily with the natural landscape qualities. Later on, several assessments were made for various large-size projects, e.g. motorways, power plants and many investments into industrial plants.<sup>10</sup> The seventies were important also for the introduction of the research and university educational programs in the field of landscape planning and management.<sup>11</sup> The International Conference on Landscape Planning in 1972 brought into the country the most advanced computer based planning techniques of the time.<sup>12</sup>

During the eighties, the spatial legislation introduced landscape concept as a special long-term planning document to be used for the planning of either landscape areas of outstanding value or areas threatened by agricultural land modernisation programmes or other large-scope developing activities in the landscape.<sup>13</sup> Spatial analyses were introduced with the aim to improve the quality of decisions on land use.<sup>14</sup>

In the last decade, the landscape as a topic in spatial planning gained some additional attention. In the first place, the necessity to obtain the knowledge about the landscape system, its components and processes, arose. In the past, Slovenia had no systematic research of the landscape and its features in this respect. An important effort to improve on this situation was made with an inventory project, ordered by the Ministry of environment and spatial planning (Marušič, 1993-1998) in order to obtain an overview of the Slovene landscape heritage. The inventory of the landscapes has been replenished by the evaluation of individual landscape units and by the guidelines for landscape management practice and landscape planning within landscape units. The guidelines tend to distinguish the differences among landscape regions and to introduce different management practice in accordance with the specifics of each region's landscapes. The materials have been distributed among the officials that are employed within the governmental spatial development administration as a supporting or informative material not having any other importance, i.e. the guidelines are not compulsory.

Among the most important tasks that still remain to be fulfilled is the definition of the entire diversity of our attitude to landscape as regards values. Also in this respect there was no systematic evaluation. Last but not least, it is necessary to develop instruments for landscape arrangement, planning and management, as well as monitoring the processes in the landscape. In addition, landscape planning has to be implemented at all planning levels. In particular, it has

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<sup>9</sup> The Assessment of the Potential Sites for an Oil Refinery in the Outskirts of Ljubljana from the Environmental Conservation Point of View, Ljubljana, March 1972 (Peterlin, 1972)

<sup>10</sup> E.g.: The Environmental Assessment of the Motorway Šmartno-Vodice, Ljubljana, 1977 (Marušič, 1977)

<sup>11</sup> Graduate study of landscape architecture at the University of Ljubljana started in 1972. In 1976 undergraduate program completed the education on landscape planning at the academic level in Slovenia. (Krajinska, 1997)

<sup>12</sup> One of the first geographic information systems was used to carry out different landscape planning projects, e.g. The Methodology of Landscape Planning – Case Study Goriška Brda, Ljubljana, 1975 (Ogrin, 1975); Space Evaluation and the Assessment of the impacts of Urbanization on the Natural Environment, Ljubljana, 1976 (Ogrin, 1976)

<sup>13</sup> Act on Spatial Planning, Off. Bull. SRS, 18/84 (Zakon, 1984)

<sup>14</sup> The list of required analyses encompasses, among others: quality of the natural resources, natural and cultural heritage, vulnerability of the environmental (and landscape) qualities. (Instruction on preparation of the analysis and components of spatial plans, Off. Bull. SRS 20/85 – Navodilo, 1985)

to become part of comprehensive spatial planning since only in this way the one-sided sectoral development views, which may have a significant impact on the landscape, can be overcome.

## **2.2 National perception of the interrelation between regional development and cultural landscape change**

The basic features of the structure of Slovenian cultural landscapes are harmonic proportions between cultivated land, settlement and forest. Various types of cultural landscapes have been formed in the past as a result of the processes, which in general can most be explained by the combination of both socio-economic processes and natural landscape characteristics. The latter have an important role of limiting and directing human processes especially in the areas with the harsh natural forces and distinctive features (steep relief and harsh climate and shallow soil). In such areas (Alpine space being a typical example) certain landscapes have been preserved that can be classified as outstanding landscapes at a regional, national or even broader level. The most important among the socio-economic processes in the last period is the increased pressure on the landscape because of the urban way of life penetrating rural areas and changing traditional patterns of living. Demographic processes lead to the migrations of population to valleys, and the concentration of problems in a few relatively narrow corridors while many regions are becoming marginal. At present we are witnessing extensive spatial development activities due to the Slovenian motorway network construction. Other infrastructure lines – gas pipelines and power transmission lines – are also expected to be built. Due to their character, these developing activities can also affect remote landscape areas. This is a process, which leads to the landscape fragmentation in a number of Slovenian regions.

In general, changes of cultural landscape have not been a strong focus in the national debate. However, there are few processes that seem to attract considerable attention among experts and the public alike. Perhaps the most outstanding are the urban sprawl, the restructuring of the agriculture and related depopulation of countryside, reforestation and the conservation of nature and bio-diversity.

- The urban sprawl is not a new process in Slovenia. The relatively easy availability of own house on the one hand and absence of effective instruments for urban regulation and control together with the ever increasing mobility caused the pattern of dispersed housing, suburban shopping malls and edge cities, the new unplanned urbanized cultural landscape typical for almost all Slovenian regions. Besides the visual impact on landscape that is assessed as negative, the insufficient public utilities and their high costs position the urban sprawl on the highest rank of spatial problems in Slovenia (i.e. Dimitrovska et.al., 2000). However, it is important to mention that general public does not share this opinion with the experts. The dispersed housing, according to an extensive public opinion research, is not a major environmental problem (Polič et.al., 2000)
- The restructuring of agriculture is already well under way and these processes will accelerate with the association with EU as the Slovenian agriculture, characterized by dispersed agricultural property and the harsh natural conditions will not be able to compete

in the EU market. This leads to the urbanization of agricultural land in the valleys close to existing urban centres on the one hand and towards depopulation and natural reforestation processes in more remote parts of the country on the other hand. These processes indicate that, in the future, the agricultural land planning and management will become one of the more demanding issues for Slovenian landscape conservation.

It is important to mention that Alpine scenery plays the crucial role in the perception of “Slovenian” landscape. In general, the prevailing attitude towards cultural landscape is also rather conservative. This judgment is confirmed by the results of the research on meaning of Slovenian landscapes (by A. Kučan 1998), which revealed that despite the great variety of the landscape types within the Slovenian territory the ‘true Slovenian landscape’, the landscape that people have in mind when Slovenia is mentioned, is the Alpine and Sub-alpine landscape: hills and woody slopes with the churches on the tops of hills, villages surrounded by tall fruit trees, and forest as prevailing land cover. The higher Alpine mountains create the inevitable background. This can be explained by the political history of the country. The Alpine and Sub-alpine landscapes are mostly located within the old country/region “Kranjska”, which still represents the central part of the country and demonstrates specifics that are hardly found outside of Slovenian state territory.

The broadly expressed concern for the preservation of what has been created by past generations – i.e. what can be today recognised as the landscape as cultural heritage – has a significant weight in decision-making. Besides this “image” of Slovenian cultural landscape, landscape diversity as such is perceived as one of the most important assets and it is commonly agreed that it’s preservation and development should be a priority that will help create and preserve Slovenian identity and attractiveness in the future processes of globalisation and association. And the important question that different policies have to consider is *who and under what conditions* is to take care for the cultural landscape?

### 3. DEFINITIONS OF KEY TERMS

The common definitions should be finalized on the basis of partners' contributions and as a result of common discussion over the result of WP1 - screening national and EU policies. Here we present key terms definitions and explanations that are valid (and may be specific) for Slovenia. In our contribution the key terms are used as follows:

#### ***Landscape / cultural landscape***

The definition of the landscape which was used in preparation of the new spatial plan on national level is perhaps most accurate as it reveals the current landscape paradigm in Slovenia:

“The landscape is a specific aspect of space. It is a separate spatial entity experienced as a specific condition of space. Both space and landscape are natural resources that are limited and finite. The landscape forms man's habitat, which has to be pleasant and healthy for living. The landscape is the primeval vessel of all living and not living nature”.

There are other definitions in use which may be more similar to most of the widely used definitions.

Landscape is considered as a spatial system composed of natural and cultural elements, functioning of which is subject to socio-economic processes (Ogrin, Landscape protection strategy, 1995).

- Landscape is a description of situation in space, where nature can be recognized as an important element along with the human activities (Marušič, Landscape development plan – draft 2001)
- Cultural landscapes are characterized by human functioning and land use, mainly agriculture, forestry, water management and tourism, while natural landscapes are mainly the result of natural processes (Marušič, Landscape development plan – draft 2001).

As an instrument of heritage protection, cultural landscape is a „protected area, where structure, development and functioning are prevailingly determined by human interventions and activity in space“ (Cultural heritage protection act).

#### ***Regional development / region***

Regional development is conceived of as a process aiming towards balanced development of economic, social and spatial aspect. The emphasis is on the mitigation of inequities among regions by fostering the use of local resources and sustainable development. Regional spatial development is a process of change of settlements, infrastructure, natural and cultural landscape on the regional level (Gulič A., 2001, Contribution to the Spatial development concept of Slovenia, chapter Regional development)

The region is defined as a „part of the space with the similar natural, social and economical characteristics and with mutually interrelated processes which give the area a certain identity and integrity“ (Urban planning institute RS (1975), Glossary of terms on urban planning, Ljubljana).

#### 4. SELECTION OF RELEVANT POLICIES

Selection of policies and their documents for the screening process was based on the criteria of relevance of their objectives and instruments for the regional development / cultural landscape relation. As regional development is a very comprehensive term, related to various social economical and spatial processes, the focus was more on spatial aspect of the regional development. Therefore only those policies were considered with the stated goals or/and instruments aiming at the development and protection of landscape as well as those with the expected (implicit) effects in landscape. In general, the latter relate to the regulation and directing diverse human actions in space and the use of natural resources.

Following policies were considered in the screening process:

The „explicit“ policies:

- regional development,
- spatial planning
- environment protection
- protection of cultural heritage

Regulation and organisation of human activities in space / landscape:

- settlements
- infrastructure

Use of natural resources:

- agriculture
- forestry
- mineral extraction
- water management
- tourism
- nature conservation

Mineral extraction and water management policies were left out from the final matrix as their objectives and tools are focused on regulating the technological aspects of activities and have no important spatial effects. On the other hand, the inclusion of cultural heritage may seem uncommon, however, due to the organisation of administrative competences, the protection of cultural landscape is within competence of both, nature protection policy (Ministry for environment, spatial planning and energy) as well as cultural heritage policy (Ministry for culture).

## 5. DESCRIPTION OF ADMINISTRATIVE NETWORK

The ultimate legal act is the Slovene constitution. Its adoption and promulgation followed quickly on the heels of the declaration of independence of the Republic of Slovenia as a sovereign state in 1991. According to the constitution Slovenia is a democratic republic with the parliamentary system.

**The President of the Republic** represents the Republic of Slovenia and is the supreme commander of its armed forces. The President is elected directly by a secret ballot of the whole electorate for a period of five years, for a maximum of two consecutive terms.

**The National Assembly** is the highest legislative body in Slovenia. It is composed of 90 deputies, elected directly by secret ballot according to a proportional voting system. At its sessions, the National Assembly passes laws and makes other decisions, as well as ratifying international agreements with a majority of the declared votes of deputies present. The National Assembly also decides on declaring a state of war or a state of emergency, as well as deciding on use of the armed forces.

**The National Council** (40 members) is a body of representatives from social, economic, professional and local interest groups. The National Council, which has an advisory role, can propose new laws to the National Assembly, give its opinions on all matters within its area of competence, and it can demand that the National Assembly takes another vote on a law before it is announced.

**The Government** of the Republic of Slovenia is a body of executive power and the highest body of the state administration. It governs in accordance with the Constitution and with the laws and other general acts passed by the National Assembly; it also determines, guides and coordinates the implementation of state policies. The Government has 16 members. In addition to the Prime Minister, there are 14 ministers and 1 minister without portfolio responsible for European Affairs.

**The Judiciary.** The Constitution states that judges are independent in carrying out their functions, but are bound by the Constitution and the law. Judicial power in Slovenia is implemented by courts with general responsibilities and specialised courts which deal with matters relating to specific legal areas. The highest judicial body for the protection of constitutionality and legality in the Republic of Slovenia is the Constitutional Court. District Courts (44), Regional Courts (11), Higher Courts (4) and the Supreme Court of the Republic of Slovenia are the courts with general jurisdiction. In addition to courts with general jurisdiction, there are 4 labour courts and 1 social court.

**Regional government.** The administrative system in Slovenia is specific in that it does not have the regional government level. Regions as administrative units are on the way of constitution. The new legislation on regional development as well as the new Spatial planning act (now in procedure) will introduce regional level.

**Local government.** The municipality as the basic unit of local government comprises of one or a number of settlements united by the population's common needs and interests, whilst within municipalities, smaller units may be set up in towns, parts of towns, or villages. Following the last local elections in 1998, there are 192 municipalities, 11 of which have the status of urban municipalities. The highest decision-making body in a municipality is the Municipal Council, the members of which are directly elected. A Mayor, also is directly elected.

## Ministries

The primary responsibility for spatial / landscape planning and management lays within the Ministry for the environment and spatial planning, however several other ministries share certain issues related to regional development and cultural landscape, most important being Ministry for economy and Ministry of agriculture forestry and food.

**Ministry of the Environment and Spatial Planning** has the general aim to ensure a healthy living environment for all the inhabitants of Slovenia and encourage and co-ordinate efforts towards sustainable development based, in addition to social well-being, on the wise and thrifty use of natural resources. Responsibilities are shared over several offices: Office for the Environment, Office for spatial planning, Energy Office, Office for European Affairs and International Relations.

**Office for the Environment** is responsible for the following areas:

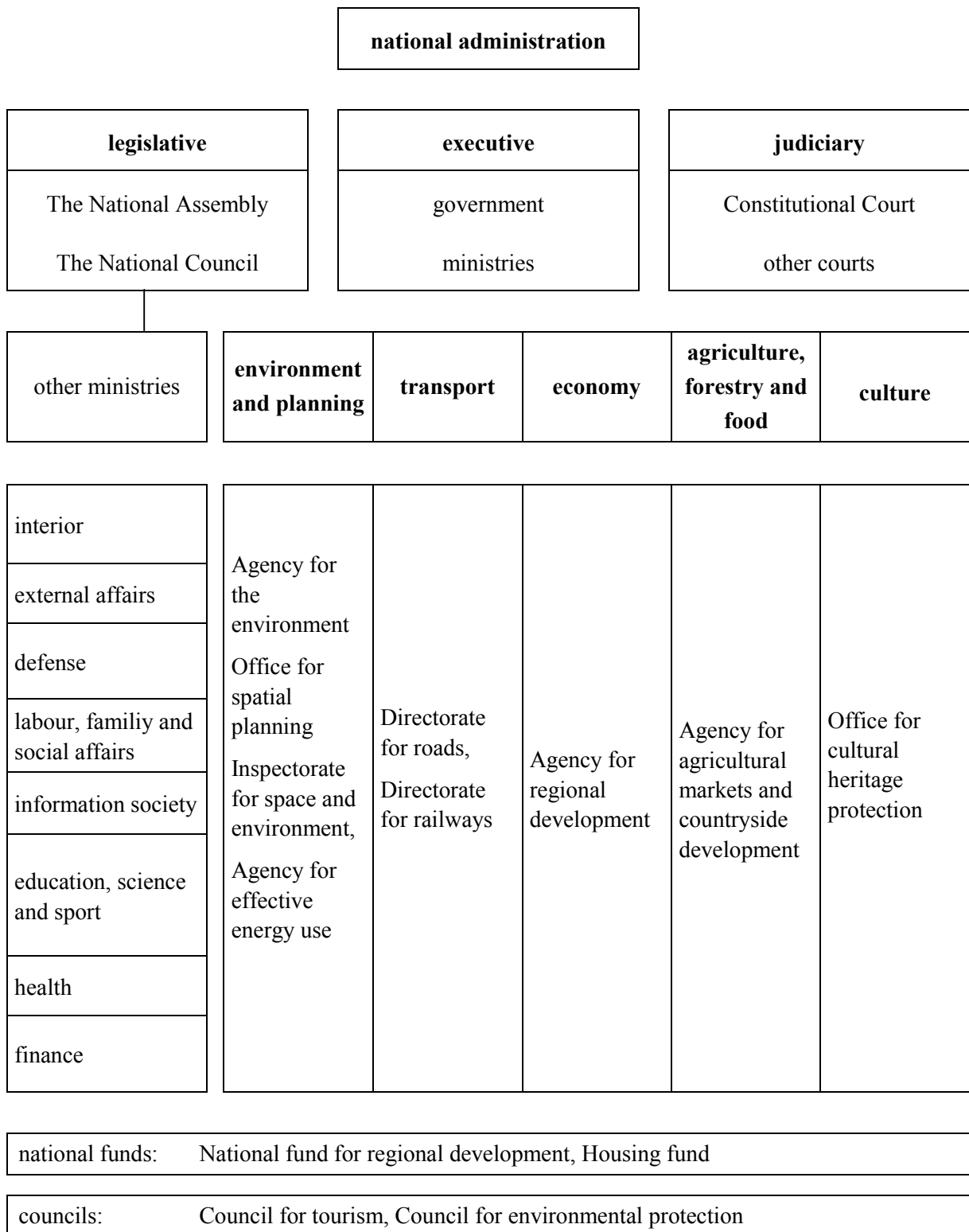
- Establishing the environment as both a limiting and stimulating factor of development; stimulating development that relies on the sustainable use of natural resources and the environment,
- nature conservation: in particular preserving biological diversity and the variety of the gene pool; preventing further threats to the natural balance and destruction and damage to natural values: activities relating to the founding of parks; physical records of the natural world; revision and supplementing of red lists of threatened species: strengthening supervision and establishing a monitoring service of all parts of the protected natural environment; setting up a system of incentives for owners of protected natural areas and for preserving natural areas that lack specific protected status;
- water environment and water management,
- waste management;
- air quality;
- integration of environmental policy into agriculture, transport, energy supply and tourism.

**Office for spatial planning** deals with the management of spatial planning. Reform of the spatial planning system covers the adoption of numerous implementing regulations on the basis of the EU Directive concerning construction products (no. 89/106/EEC), the adoption of the new Spatial Planning Act, Construction of Facilities Act, Mediation in Trade in Real Estate Act, as well as the adoption of new amendments and supplements to the Housing Act and numerous implementing regulations. The priority programme tasks in individual areas are:

- **Spatial planning:** Reform of the standards and organisational aspects of spatial planning embraces and establishes new rules, especially in relation to the system of spatial planning documents and their contents, recognition and introduction of market instruments in the area of spatial planning, new roles in spatial planning for local communities and respecting private property as one of the basic constitutional categories. The new normative arrangement will enable greater flexibility of spatial documents and greater public participation in adopting decisions on the use of space, establish the foundations of a spatial planning information system and newly regulate the activities of spatial planning.
- **Construction of facilities:** Even under the previous legal system, the Slovene construction industry achieved an internationally fully comparable and indisputable high level of professionalism and quality. However, with the adoption of new legislation in this area, it will be necessary further to tighten the responsibility of individual participants in this area and in this way also ensure the faster economic development of Slovenia.
- **Housing economy:** Stimulating housing construction by loans and premiums embraces support to loans by municipalities and non-profit housing organisations, savings in the framework of the national housing savings scheme, subsidising leasing by providing specific subsidies and capital increase of the Housing Fund of the Republic of Slovenia.

**Ministry of the economy**, with its two sectors: for regional and structural policy is responsible the regional policy of the Slovenian government and it's cooperation with structural and cohesion policy of EU. The main aim is to implement the polycentric development policy through the measures of governmental economic policy. Slovenija is still rather centralized and in many areas the economic and social cohesion is not yet attained. The local development potentials of the regiona and local communities are seen as the most important resource for competitive and viable economy.

**Ministry of agriculture forestry and food** has competences over the and therefore is a major actor in the cultural landscape. Its priority issues are the increasing number of abandoned farms, overgrown land, a poor animal husbandry situation, and the inadequate social status and organisation of farmers. One of the major tasks of this term in office has been to bring these processes to a halt and, taking advantage of additional support, create suitable living conditions on farms and in the countryside as a whole.



*Figure 1: Scheme of administrative network*

## Relation public policies – policy subjects

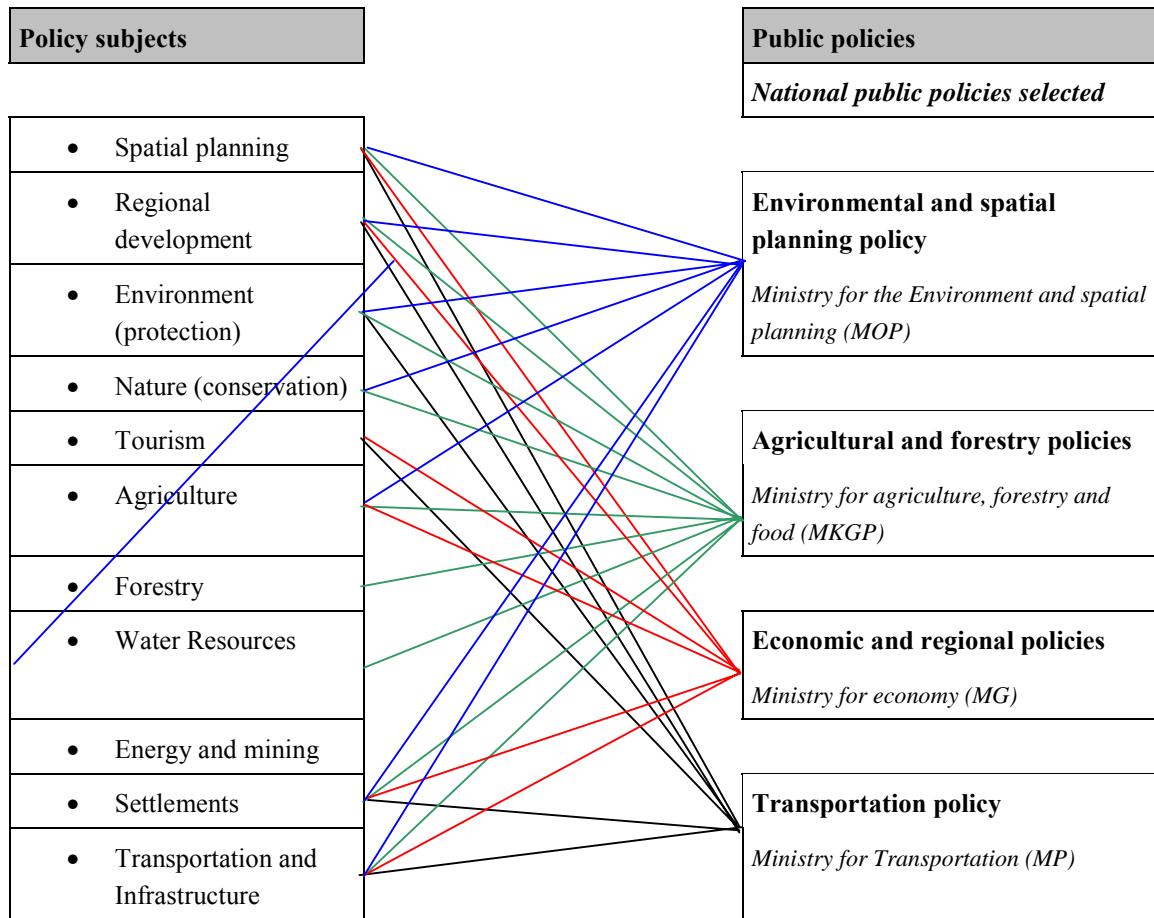


Fig.2: Relation public policies – policy subjects (according to CEMAGREF (14./15.3.02), Input Team Meeting 2, p. 4, Policies, Laws and Tools (1))

## **6. ANALYSIS OF LANDSCAPE OBJECTIVES IN THE SELECTED POLICY FIELDS**

There are some issues that had to be considered and are worth mentioning to clarify the screening process and its results. Most of the Slovenian legislation does not use the term »landscape«; instead, “space” or sometimes “environment” is used, often in the meaning of landscape. So very few provisions explicitly relate to landscape. On the other hand almost any policy has implicit (and indirect) effects on landscape, again it is hard to judge, which of these are relevant and which are not. This may be the case for legislation on economy, investments, trade, etc. The “space“ itself is not a planible category – what can be planned are human activities in the space. Spatial planning therefore refers to conditions and criteria for locating certain aspects of human life and activities in space and to the conditions for use of natural resources.

In the screening process we considered the documents with binding character (laws and regulations). In Slovenian legislation, acts usually define the objectives and give general guidelines while instruments are defined by adjacent regulations. In the view of law implementation and resulting effects, regulations are therefore sometimes more important. On the other hand, each regulation usually regulates only a narrow part of the issue and they have shorter time-span. Therefore it is very difficult to assess their expected overall effects. Additionally, certain documents that are binding only for the responsible institution (Strategies, Plans and Programmes) were also considered as some of their provisions may have status of a binding document. For example, certain designations of the spatial plan on national level have to be followed in the plans on lower (local) level. Also, major developments (mostly infrastructure, power installations etc) have to comply with the spatial plan.

Detailed analysis of policies and their landscape focused objectives and instruments are in appended table.

## 7. SUMMARY AND CONCLUSIONS

### 7.1 Summary table of objectives and instruments in individual policies:

#### Spatial planning policy

##### Objectives

- to protect common good and ensure its sensible use,
- to control spatial development

##### Instruments

- long-term national development plan
- local land use plans
- planning analysis with environmental audit and vulnerability analysis as obligatory parts
- designated urban areas
- landscape plan
- guidelines for: regional development, natural resources management, environmental protection, agricultural land protection and development, forest management, protection of landscape and natural and cultural heritage, tourism, waste management.

#### Settlements and housing policy

##### Objectives

- balanced spatial and regional development,
- to ensure quality of living environment and spatial identity,
- to ensure rational planning and development of settlements, infrastructure and other permanent changes in space,
- to ensure that new housing is designed in congruity with existing urban and landscape characteristics, and built with healthy materials
- to ensure economy, firmness and reliability of new buildings and to improve existing housing from ecological, energy and design aspects,
- to define conditions for management of building land
- to enlarge the extent of new development as well as reconstruction,
- to provide suitable housing for everyone with gradually at least 10.000 new housing units per year and improved availability of all types of housing by different ways of tenancy,
- to improve conditions for building land management, building, and management of housing,
- to balance supply and demand on housing market,
- to foster demographic development
- to protect environment

##### Instruments

- urban planning
- restriction of development to building lots, designated in spatial plans and equipped with infrastructure
- criteria and guidelines for urban planning:
- spatial plans
- special planning study with analysis of natural characteristics, such as geomorphological and hydrological features, biotopes, natural heritage landscape characteristics...;
- detailed analysis of possible environmental impacts, impacts on landscape, natural and cultural heritage ...
- obligatory alternative proposals for planned development
- detailed spatial plans – planning regulations
- detailed spatial plans –local plans (building plan, site plan, renewal plan):
- planning permit for all interventions which permanently affect spatial conditions, landscape characteristics...
- building permit, containing conditions concerning environmental and cultural and natural heritage protection
- control – urban and building inspectorate
- preemption right for land and objects of public infrastructure
- National housing fund, local housing funds
- national housing saving schemes
- public funding

## Environment and nature protection policy

### Objectives

- to protect living and natural environment and conditions for use of natural resources as a base for healthy and sustainable development,
- to ensure equilibrium of developmental and environmental needs and conditions,
- to preserve: indigenous species, habitats, ecological balance, natural biodiversity, productive land, variety and cultural and esthetic value of landscape and natural values,
- to reduce use of natural resources, materials and energy and to use more renewable energy sources
- to prevent threats and reduce environmental burdens,
- to remediate degradations and improve regeneration capacities,
- to develop and stimulate environmentally friendly technologies
- to conserve nature with conservation of biodiversity and protection of natural values
- to conserve exceptional natural and cultural values,
- to conserve and develop cultural landscape,
- to ensure development and living and working conditions for local inhabitants

### Instruments

- National program for environmental protection
- legal restrictions on property and use of "public good": it is property of the state or local communities, conditions for use are defined by law
- legal restrictions on property and use of "natural values": restriction of ownership rights, preemption rights
- remediation plans for endangered environment
- concessions for use of natural resources
- environmental vulnerability study
- environmental impact assessment and strategic environmental impact assessment for plans and programs
- environmental permit
- public participation: public displays and hearings for environmental impact assessments, public accessibility of data on environmental conditions and actions of public institutions, concerning environmental qualities
- environmental monitoring
- definition of the areas within which compensations for impairment of the environment can be required, definition of criteria for compensations
- nature protection decrees for protection categories: natural value (...natural area, ecosystem, landscape or designed nature), ecological important area, special protection area (ecological area important on Euro - level), wider protection areas (national, regional and landscape park) The decree defines boundaries of protected areas, type of protected areas, public service for managing, eventual obligations for passing a managing plan, and financial sources to perform the protection and to assure the development for local population.
- management plan for protection areas with definition of conservation goals, guidelines and measures
- restrictions and conditions for activities - exceptional permit for building or intervention in protected areas can be obtained based on the approval of the Government
- park development program

### Agriculture policy

- to regulate use and to protect agricultural land

- designation of agricultural areas in spatial plans, change of use possible only through change of spatial plans and only for exceptions, stated in law
- compensations for land-use change
- criteria for definition of areas with limited agricultural conditions, areas of agricultural meliorations, areas of common pastures

### Forestry policy

- to protect and manage forests in accordance with sustainable and multifunctional use and protection of environment and nature

- protection categories: protective forest (protecting ecological conditions) and forest with special purpose (heritage, recreation, education, defense...) are declared by law and formally protected as natural value
- development program for forests and forest management plans
- restriction on ownership rights (i.e. free accessibility of forests, free bee keeping, hunting, picking mushrooms and herbs and recreational activities)

### Transport

## Environment and nature protection policy

### Objectives

- to ensure equal conditions for quality and safe traffic for all road users in the country
- to improve inner connectedness of Slovenija, specially interregional connections, as well as connections to the most important supply centers (Ljubljana, Maribor and Koper)
- to provide adequate connections with neighboring and other countries
- to support polycentric development, decentralization and provide conditions for balanced economic and spatial development,
- better and more effective flow of goods, people and services,
- to heighten benefits in wider areas of economy, society and tourism
- to reduce transportation costs and thus improve competitiveness of economy,
- to improve living conditions and environmental protection standards and the protection of natural and cultural values,
- to reduce energy consumption,
- to widen the choice of transportation modes,
- to ensure fair distribution of costs and benefits.

### Instruments

- road planning, construction and reconstruction
- compulsory public service for public roads maintenance
- strategy of development and maintenance of state roads defines goals, strategy and essential duties for next ten years.
- Loans of EBRD and EIB

## Tourism

- to attain long term competitiveness of tourist economy with development of tourist infrastructure and improvement of tourist offer
- to foster growth of tourist demand
- to place Slovenija among touristic developed countries,
- to double the income from tourism,
- to develop competitive, recognizable and quality tourist products, based on the use of indigenous knowledge and creativity, natural and cultural heritage,
- to support development of tourism,
- to provide balanced regional development,
- to protect and regenerate resources for tourism development,
- to conserve landscape and other cultural qualities,
- to retain and emphasize identity and innovation
- National tourist organization
- subprogram for tourism promotion
- subprogram for common tourist infrastructure
- planned development of certain tourist centers within delimited tourist areas,

## Regional Development policy

### Objectives

- balanced economical, social, cultural, spatial and environmental development,
- high living quality and quality of living environment for all inhabitants,
- prevention of deepening of the gap in economic, social and environmental development and opportunities between regions
- to increase the growth of gross national product
- - to reduce the development lag behind the EU states in economy without increasing differences in social and environmental development

### Instruments

- regional development strategy for Slovenija 2001
- sectoral, regional and joint development programs,
- regional state funding for underdeveloped regions and regions with specific development problems
- subventions, convenient loans, guarantees, capital investments, tax exemptions, transfer of state properties to local ownership or management
- grants and loans from the Ministry and public funds according to specified criteria
- financial support for entitled regions: direct (investments, financial transfers, loans) and indirect incentives (subventions, loans, guarantees) for regional development
- priority lists of areas that have to be considered in tender evaluations
- categories of areas with specific development problems : economically weak areas, areas with structural problems and high unemployment, developmentally restricted border areas and areas with restricted conditions.
- lists of local communities satisfying criteria for each category
- list of settlements that are defined as demographically endangered
- designation of the regions entitled to regional support and definitions of maximum level of support
- definition of priority areas (priority lists of regions and local communities)

### **Cultural heritage protection policy**

- to maintain and renovate heritage,
- to enable its cultural functioning, public availability, study and research,
- to prevent adverse impacts on heritage
- protection categories (cultural monuments:... settlements, designed nature, cultural landscapes
- plans and programs for cultural heritage,
- cultural heritage authority opinion on spatial interventions

### **Implementation of EU structural and cohesion policies**

- to optimize development and regional policies
- to provide strategic basis for use of European financial support (Phare 2001-2003, cohesion funds, cross-border funds 2004-2006)
- to establish institutions for management, implementation, monitoring and supervision of measures, co-financed from structural funds
- to improve effectiveness and coordination of functioning of ministries
- to organize required administrative and implementation structures to execute structural policy:
- to develop management system on regional level based on principle of partnership with local communities and other development actors
- unified process of planning, execution and supervision of programs, financed by national or foreign sources
- long-term budget programming
- Council for structural policy
- Agency of the RS for regional development
- Agency for agricultural markets and countryside development
- National Aid Coordinator – NAC, for Slovenia is Minister responsible for European affairs with the sector for foreign support in Service RS for European affairs
- managing structure of the National development program for structural policy (Managing Authority, Monitoring Committee, Intermediate Bodies, Program councils, Paying Authority)
- managing structure of the National development program for cohesion policy (Managing Authority (Ministry for economy), Implementing Bodies (Other Ministries), Paying Authority)
- Central Finance and Contract Unit - CFCU, as executive agency
- National Fund - NF as a central financial institution
- supervisory bodies: Common supervisory committee with six supervisory sub-committees for PHARE and supervisory committees for ISPA and SAPARD
- National development program
- establishment of regional administration
- monitoring and evaluation of policies and programs
- financial supervision
- technical support

### Non-governmental policies

- to stimulate development of environmental NGOs and provide (financial and other) conditions for functioning of environmental NGOs
- to improve influence of NGOs in decision making about environmental protection and sustainable development
- to improve cooperation among NGOs, governmental and economic actors, local authorities and other interest groups in solving environmental problems on local and national level
- to improve environmental information accessibility
- to support public participation in decision making about environmental activities, plans, programs and policies and in preparation of environmental legislation
- to foster implementation of internationally accepted sustainability principles,
- to protect nature and healthy environment,
- to attain balance between human society and environment
- to conserve natural resources and biodiversity, to promote environmental ethics
- to conserve natural and cultural heritage in Alpine space,
- nature and landscape protection,
- effective and sustainable reduction of environmental burdens to nonharmful levels
- to develop wide awareness about Alps
- to direct, coordinate and promote building, management and maintenance of mountain accommodations and other economic activities,
- to promote activities in natural environment in order to recognize natural beauties, natural and cultural sights, and to improve physical welfare,
- to create conditions and possibilities for living in nature, above all in the mountains
- education and awareness raising about importance of environmental protection
- change of governmental policy regarding non-governmental sector
- Information dissemination, sharing and exchange: - bimonthly bulletin, publications, Environmental library, databases
- Change in tax legislation
- new rules on information accessibility, free and accessible databases, lists, registers etc
- legal regulation on "public information"
- implementation of Partnership for environment program, mutual information sharing between Ministry and NGOs
- cooperation and communication between environmental NGOs and other subjects
- Co-financing of environmental and nature conservation projects and projects of institutional consolidation of NGOs, Common fund (REC + Open society fund) for financing NGO projects
- Local programs of financial support
- Financial support for projects partnerships between individuals, companies, organisations and institutions
- Legal protection of products, services...quality
- Handbooks of best / worst practices
- independent public service
- funds and foundations
- Implementation of Alpine convention protocols
- nature protection areas on local level
- Regional and inter-regional development projects
- Financial support for extensive farming in mountain areas

## 7.2 Conclusions - Relevance of the landscape issue in development policies

The development in landscape is regulated by the legislation in several fields: spatial planning, environmental, building, agricultural land, forests etc. Most of the legislation was written anew after the attainment of independence in 1991 in the process of harmonization with the EU legislation. So the most of its effects will be recognisable only in next years. On the other hand, some of the currently valid legislation (i.e. on spatial planning) is not well suited to the changes that came into force with the constitution from beginning of 1990 as well as with the existing socio-economic circumstances.

### **Spatial planning policy**

Spatial planning legislation consists of two Acts: Spatial planning act and Settlement and infrastructure regulation act (Urban planning act), both adopted in 1984. Several changes were introduced since, i.e. *Intervention act* that was adopted to regulate planning in the transition period, but they did not considerably affect the general concept and aims of these acts.

Regardless it's socialist origin the objectives of the legislation are mainly focused towards protecting the public good and regulating spatial processes accordingly. The instruments of both acts are limited to the planning and administrative measures, while important supportive instruments, especially financial, are missing. Some of these instruments such as preemption and expropriation right were introduced by other legislation (i.e. Act on building lots in 1997).

The requirement for public participation has also been imbedded in planning legislation in the form of compulsory public displays and hearings for all local land use plans and detailed plans.

There are two instruments that are most directly related to landscape issue: *planning study* and *Landscape plan*. The obligatory *planning study* (so called »analysis of the development potential») is a base for all designations in plans and has to comply with the methodological and contents requirements. Exhaustive environmental analysis such as environmental audit, vulnerability analysis etc., required as a part of this analysis also conforms to the modern approaches and the sustainability paradigm. However, this study need not be subject to public presentation and hearing.

Another important instrument is *Landscape plan* for regulating development and protection in specific areas. These areas are defined by the criteria of quality (i.e. areas with most valuable landscape and natural features) and by the criteria of interventions (complex and conflicting proposals). Landscape plan is one of the planning documents on local level. As it is not an obligatory document and as the criteria for areas that need to be regulated by the landscape plan are too vague, it was seldom used.

### **Regional policy**

Regional policy is very new and it was written largely to conform to the EU legislation as a part of pre-access efforts. The effects can therefore not be assessed yet as the necessary organizational structure is still under formation. According to the objectives, balanced regional development will mostly affect existing agricultural policy and will lead to extensive restructuring of agriculture and therefore cultural landscape as well. Most of the instruments are financial, in the form of direct payments.

### **Environmental protection policy**

The Environmental protection act features many instruments, which could have important landscape effects (i.e. Environmental vulnerability study and (strategic) environmental impact assessment). However, only few of them are further regulated by the detailed documents and are therefore not operational (ie. *Environmental vulnerability study*, which should be made for national and local territory and should be a base for the designation of areas with allowed level

of environmental burdens). (*Strategic environmental impact assessment* is comparable to similar instruments in other countries. It regulates the acceptability of certain interventions in space on the level of project. This instrument was introduced in 70-ies and is being used regularly since mid-80-es.

**Nature conservation:** Act on nature conservation introduced the system of designation nature protected areas. With the decree on protection, which is under the competence of Agency for nature conservation, several instruments with explicit landscape effects come into force: prohibition or limitation of certain land uses, preemption rights, etc. However the instruments (in particular financial aids) to support the implementation are very limited. All the documents issued on the base of this act have to be adopted as a part of spatial planning documents.

### **Cultural heritage protection policy**

The only policy that explicitly deals with the “cultural landscape” as such in Slovenija, is the cultural heritage protection policy. After the reorganization of former Agency for natural and cultural heritage split into two different services divided under jurisdiction of two different ministries (*Ministry of environment, spatial planning and energy for nature conservation* and *Ministry for culture* for cultural heritage protection), the so called “landscape park” - a protection category that dealt with the integrative protection of areas with cultural as well as natural values came under the “nature protection” responsibility and management. Therefore another similar protection category was introduced within cultural heritage protection policy, i.e. cultural landscape with virtually the same meaning as “landscape park”.

### **Forestry policy**

Forests act introduces the forest management plans where criteria for appropriate use of forests and other areas that are “ecologically or functionally connected with forest” are defined as well as measures for management of forests and wildlife. These elements have to be also spatially defined. According to the legislation, areas with two different protective regimes can be designated within forested areas: *protective forest*, with the aim to protect vulnerable ecological conditions, and *forest with special purpose*, with the aim to promote development of functions other than timbering. Management of these forests has to comply with the stated aims.

### **Agriculture policy**

Act on agricultural land has provided very strict administrative/planning measures for protection of agricultural land through the designation of best agricultural land in spatial plans on a detail of individual lot. As a rule, designated lots can't be changed into other use (with few exceptions when no alternative is available). All the changes had to be approved on national level by the Ministry for agriculture. This instrument was supported with another protection instrument – financial compensation for land use change. Even when land use is being changed into building

land in spatial plans, the compensation fee has to be paid for the change of use for (any) agricultural land or forest before building permit is issued.

The majority of the subsidizing system developed within the Ministry of Agriculture does not differentiate between farms in different areas. Most of the subsidies are allocated per hectare of arable land under specific crop or per head of stock. In general, the farms with limited conditions for farming (such as mountainous areas) are also entitled to additional subsidies.

**Tourism.** Interest of tourism are represented by one of the several sectors of Ministry of Economy, in sector for development of enterprise and competition. Although the goals of the policy are very wide and in many aspects relate to the regional development and landscape issues, the instruments are too general and they are not aimed towards specific objectives that could be identified as relevant.

**Transport.** The legislation contains objectives and instruments that only implicitly relate to the landscape and regional development. They are almost exclusively focused on the technical aspects and ensuring the safety of traffic. The strategic documents do contain several objectives that relate to landscape and regional development issues. At the moment the transport policy is covered by two separate strategic documents for roads and railways. The common strategic document of the transport policy is supposed to be presented soon.

Another two types of policies were included in screening: **Implementation of EU structural and cohesion policies** and non-governmental policies. Both are not strictly „national public“ policies and both are dealing more with the organisational or institutional framework and not directly with issues such as regional development or cultural landscape and could therefore be considered as explicit in their objectives. The strongest focus of the EU policies implementation is on building adequate institutional support with corresponding institutional instruments, together by financial and technical support. The **non-governmental policies** focus on the one hand on the institutional development, consolidation and establishment of cooperation with other stakeholders and on the other hand on wide objectives of sustainable development, environmental, nature and landscape protection. Majority of the instruments are those of cooperation, education and information dissemination.

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- Navodilo o vsebini posebnih strokovnih podlag in o vsebini prostorskih izvedbenih aktov (SRS 14/85)
- Zakon o planiranju in urejanju prostora v prehodnem obdobju (SRS 48/90)
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- Zakon o varstvu kulturne dediščine (RS 7/99)
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## Spatial planning policy

### Level 2: Laws of public policy

#### National level

#### Objectives

**Spatial planning act (1984/1993)** with **Regulation on contents and methodology of planning studies and contents of local spatial plans** (1985), - to control spatial development  
Ministry for environment and planning

- to protect common good and ensure its sensible use,  
- to control spatial development

### Level 3: Instruments for public policy implementation

#### National level

#### Objectives

long-term national development plan

to control land use change

local land use plans

planning analysis with environmental audit and vulnerability analysis as obligatory parts

to ensure consideration of (among other) natural, landscape and environmental elements in preparation of spatial documents

designated urban areas

to prevent development outside specifically designated areas

landscape plan

to ensure adequate consideration on landscape and natural features in planning in specific areas

guidelines for: regional development, natural resources management, environmental protection, agricultural land protection and development, forest management, protection of landscape and natural and cultural heritage, tourism, waste management.

to prevent urban sprawl, to enable protection of cultural landscape and countryside settlements, to ensure respect for regional typology and landscape characteristics in countryside development, to prevent depopulation and degradation of landscape

## Regional Development policy

### Level 2: Laws of public policy

#### National level

**Act on stimulating balanced regional development** (1999)  
Ministry for economy, Ministry for environment and planning, National agency for regional development, Regional development agencies,

#### Objectives

- balanced economical, social, cultural, spatial and environmental development aspects in all Slovenian regions,
- high living quality and quality of living environment for all inhabitants,
- prevention of deepening of the gap in economic, social and environmental development and opportunities between regions

## 8. LEVEL 3: INSTRUMENTS FOR PUBLIC POLICY IMPLEMENTATION

### 9. NATIONAL LEVEL

Regional development strategy for Slovenija 2001

#### Objectives

- strengthening the developmental function of environment
- sustainable development of all Slovenian regions with emphasis on sustainable development of towns
- prevent major developmental problems in certain regions,
- improve relative status of Slovenian regions compared to border regions in Austria and Italy,
- improve local development potentials,
- improve welfare of people in all regions,
- provide conditions for settlement in whole Slovenian area in order to conserve cultural landscape,
- environmental friendly development and protection of natural values, natural and cultural heritage and other

## Regional Development policy

common good

sectoral, regional and joint development programmes, promoting the developmental functionality of renewable local environmental assets,

connection of National policy and programme for environmental protection with sectoral and regional policies into functional whole

state's regional funding for underdeveloped regions and regions with specific development problems

improvement of the environmental tax reform to rise the prices for energy and the costs for environmental damage,

systematic monitoring, analyzing and simulations of environmental change

subventions, convenient loans, guarantees, capital investments, tax exemptions, transfer of state properties to local ownership or management to further investment in the regional development projects which fulfill the criteria of sustainability of investment, high share of the local partners involvement, impact of the project on regional development

grants and loans from the Ministry and public funds - criteria and conditions for granting incentives are defined to ensure co-financing of regional development programs

**Regulation on priority areas entitled to incentives for balanced regional development** (2001), Ministry for economy, National agency for regional development, Regional development agencies,

## Regional Development policy

**Regulation on detailed conditions and criteria for allocating the incentives for balanced regional development** (2000), Ministry for economy, National agency for regional development, Regional development agencies

priority lists of areas that have to be considered in tender evaluations

**Regulation on criteria definitions for designation of areas with specific development problems and list of local communities fulfilling these criteria** (2000), Ministry for economy, National agency for regional development, Regional development agencies

categories of areas with specific development problems : economically weak areas, areas with structural problems and high unemployment, developmentally restricted border areas and areas with restricted conditions. All Local communities satisfying criteria for each category are listed, list is checked annually by the responsible institution

**Regulation on demographically endangered areas** (1999), Ministry for economy, National agency for regional development, Regional development agencies

list of settlements that are defined as demographically endangered

**Regulation on regional map for implementation of regional support policies** (2001), Ministry for economy, National agency for regional development, Regional development agencies

definition of the rights of the individual regions to obtain regional support and determines the maximum level of regional support

## Regional Development policy

**Regional development strategy for Slovenia 2001-2006**, Ministry for economy, National agency for regional development, Regional development agencies

- to increase the growth of gross national product

definition of priority areas (priority lists of regions and local communities)

- to reduce the development lag behind the EU states in economy without increasing differences in social and environmental development

financial support for entitled regions: direct (investments, financial transfers, loans) and indirect incentives (subventions, loans, guarantees) for regional development

- to support constitution of regional agencies, preparation of regional development plans and project documentation,

- to finance project implementation for regional and local infrastructure, small development and pilot projects, starting investments, investments for new employment

## Environment and nature protection

### Level 2: Laws of public policy

#### National level

**Environmental protection act** (1993), Ministry for environment and planning, National agency for environment,

#### Objectives

- to protect living and natural environment and conditions for use of natural resources as a base for healthy and sustainable development,
- to ensure equilibrium of developmental and environmental needs and conditions,
- to preserve: indigenous species, habitats, ecological balance, natural biodiversity, productive land, variety and cultural and esthetic value of landscape and natural values,
- to reduce use of natural resources, materials and energy and to use more renewable energy sources
- to prevent threats and reduce environmental burdens,
- to remediate degradations and improve regeneration capacities,
- to develop and stimulate environmentally friendly technologies

### Level 3: Instruments for public policy implementation

#### National level

National program for environmental protection

#### Objectives

- to improve living environment in Slovenija
- to control environmental problems and to ensure solving the most important ones (Kras, landscape and biotic diversity, expected traffic overload, depopulation of large areas)
- to include environmental and sustainability principles in sectoral programs



## Environment and nature protection

legal restrictions on property and use of "public good": it is property of the state or local communities, conditions for use are defined by law

legal restrictions on property and use of "natural values": restriction of ownership rights, preemption rights

remediation plans for endangered environment

concessions for use of natural resources

environmental vulnerability study      to define level of environmental protection and estimate the acceptable environmental burden for eco-regions

environmental impact assessment and strategic environmental impact assessment for plans and programs

environmental permit

public participation: public displays and hearings for environmental impact assessments, public accessibility of data on environmental conditions and actions of public institutions, concerning environmental qualities

environmental monitoring

## Environment and nature protection

**Regulation on methodology of environmental impact assessment** (1996), Ministry for environment and planning, National agency for environment,

to define the methodology for execution of environmental impact assessments

identification and assessment of following impacts (among others): change of the natural and other conditions of life quality, impacts on identity and appearance of natural environment and landscape, impacts on wildlife and habitats, impacts on natural equilibrium and ecosystems, changes caused by interventions in water, soil or underground.

definition of the area within which compensations can be required, definition of criteria for compensations

**Nature conservation act** (1999), Ministry for environment and planning National agency for environment

to conserve nature with conservation of biodiversity and protection of natural values

nature protection decrees for protection categories: natural value (...natural area, ecosystem, landscape or designed nature), ecological important area, special protection area (ecological area important on Euro - level), wider protection areas (national, regional and landscape park - area with high ecological, biotical or landscape value as a result of man-nature interrelations) The decree defines boundaries of protected areas, type of protected areas, public service for managing, eventual obligations for passing a managing plan, and financial sources to perform the protection and to assure the development for local population.

conservation and development of landscape diversity and characteristics, important for biodiversity and maintaining the suitable condition of species

## Environment and nature protection

**Triglav national park act**  
(1981/2001), Ministry for  
environment and planning, National  
agency for environment

to conserve exceptional natural and  
cultural values,  
to conserve and develop cultural  
landscape,  
to ensure development and living and  
working conditions for local inhabitants

management plan for protection areas  
with definition of conservation goals,  
guidelines and measures

restrictions and conditions for activities -  
exceptional permit for building or  
intervention in protected areas can be  
obtained based on the approval of the  
Government

park development program

## Protection of cultural heritage

**Cultural heritage protection act**  
(1999) Ministry for culture, Office for  
protection of cultural heritage  
Ministry for culture

to maintain and renovate heritage,  
to enable its cultural functioning, public  
availability, study and research,  
to prevent adverse impacts on heritage

protection category: Cultural monuments protection regime for "cultural  
(... settlements, designed nature, cultural landscapes":  
landscapes..)

Cultural heritage protection plans and  
programs (mandatory consideration in  
preparation of all spatial planning  
documents),

positive opinion of competent cultural  
heritage authority must be obtained for  
spatial interventions

to protect: landscape structure, visual  
qualities and identity, characteristic  
natural processes, spatial organization  
related to built heritage, border areas

## Agriculture

### Level 2: Laws of public policy

#### National level

**Act on agricultural land** (1996),  
Ministry for agriculture, forestry and  
food

#### Objectives

to regulate use and to protect agricultural  
land

### Level 3: Instruments for public policy implementation

#### National level

designation of agricultural areas in  
spatial plans, change of use possible  
only through change of spatial plans and  
only for exceptions, stated in law

compensations for land-use change

areas with limited agricultural conditions,  
areas of agricultural meliorations, areas  
of common pastures

#### Objectives

to protect agricultural land from  
changing its use

## 9.1 Forestry

### Level 2: Laws of public policy

#### National level

**Forests act** (1993), Ministry for agriculture, forestry and food, National agency for forests,

#### Objectives

to protect and manage forests in accordance with sustainable and multifunctional use and protection of environment and nature

### Level 3: Instruments for public policy implementation

#### National level

protection categories: protective forest (protecting ecological conditions) and forest with special purpose (heritage, recreation, education, defense...) are declared by law and formally protected as natural value

development program for forests and forest management plans

#### Objectives

to define policy, guidelines and conditions for sustainable forest management.

to preserve or restore natural composition of forest biocenoses and improve general resistance of forests

- forest management that enables all functions of forests and is based on natural regeneration

- use of forest land according to natural development of forest biocenoses

- mutual coordination of forest management, timber production and other forest functions



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restriction on ownership rights (i.e. free to assure the ecologic, social and accessibility of forests, free bee keeping, productive functions of the forest hunting, picking mushrooms and herbs and recreational activities)

## Transport

### Level 2: Laws of public policy

### Level 3: Instruments for public policy implementation

#### National level

#### Objectives

**Public roads act** (1997) Ministry for transport to ensure equal conditions for quality and safe traffic for all road users in the country

#### National level

#### Objectives

road planning, construction and reconstruction

- to ensure congruity of the roads with other spatial developments as well as with the surrounding environment

- to minimize the expected environmental impacts

compulsory public service for public roads maintenance

to assure the safe traffic conditions.

strategy of development and maintenance of state roads defines goals, strategy and essential duties for next ten years.

**National program for highway construction** (1996) Ministry for transport

- to improve inner connectedness of Slovenija, specially interregional connections,

- to improve safety,

- to reduce transportation costs and thus improve competitiveness of economy,

- better and more effective flow of goods, people and services,

- to support polycentric development,

## Transport

decentralization and balanced development,

- to reduce negative environmental impacts of transport,

- to heighten benefits in wider areas of economy, society and tourism

**National program for railway development** (1995), Ministry for transport

- to provide conditions for balanced economic and spatial development

Loans of EBRD and EIB

- to provide adequate connections with neighboring and other countries

- to connect regions within Slovenija as well as the most important supply centers (Ljubljana, Maribor and Koper)

- to improve living conditions and environmental protection standards,

- to reduce energy consumption, protection of natural and cultural values,

- to widen the choice of transport modes,

- to ensure fair distribution of costs and benefits.

## Settlements and housing

### Level 2: Laws of public policy

#### National level

**Urban planning act** (1984 / 1997)  
Ministry for environment and  
planning

#### Objectives

- to regulate urban planning of settlements, urban planning infrastructure and other permanent changes in space,
- to define conditions for their siting,
- urban control

### Level 3: Instruments for public policy implementation

#### National level

urban planning

spatial plans

spatial executive plans

planning permit for all interventions which permanently affect spatial conditions, landscape characteristics...

criteria and guidelines for urban planning: - to protect environment,

- to provide safe and healthy living conditions,
- to protect productive land,
- to provide green and recreational

- to provide such arrangement of activities in space as to enable rational use of land and equable economic and social development

- to conform the image of planned objects to the landscape characteristics, natural and cultural heritage, regional building typology...

designation of building lots

to protect and manage landscape features, common goods, hydrological elements, green areas...

## Settlements and housing

			areas.
		control - urban inspectorate	
<b>Regulation on contents of planning studies and contents of detailed spatial plans (1985)</b> Ministry for environment and planning	to define detailed conditions and criteria for issuing planning and building permits	special planning study with analysis of natural characteristics, such as geomorphological and hydrological features, biotopes, natural heritage landscape characteristics...; detailed analysis of possible environmental impacts, impacts on landscape, natural and cultural heritage ...	
		alternative proposals for planned development	
		detailed spatial plans – planning regulations with conditions and criteria for: adjustment of landscape changes caused by agricultural and forestry land use and other development	to ensure that natural and cultural heritage and other characteristic and values are preserved as much as possible
		detailed spatial plans -local plans (building plan, site plan, renewal plan): contain solutions regarding natural and cultural heritage conservation and management, landscape characteristics, water management with measures for landscape revitalization, green areas...	
<b>Construction act (1984 / 2000)</b> Ministry for environment and	building control	building permit, containing conditions concerning environmental and cultural	

## Settlements and housing

planning

and natural heritage protection

**Act on building sites** (1997)  
Ministry for environment and  
planning

to define conditions for management of  
building land

building inspectorate

restriction of development to building  
lots, designated in spatial plans and  
equipped with infrastructure

preemption right for land and objects of  
public infrastructure

**Housing act** (1991),  
Ministry for environment and  
planning

National housing fund, local housing  
funds

to finance National housing program  
i.e. to support building, reconstruction  
and maintenance of housing stock

national housing saving schemes

**National housing program** (2000),  
Ministry for environment and  
planning

- to provide suitable housing for everyone,
- to ensure rational planning of  
settlements,
- to ensure quality of living environment  
and spatial identity,
- to ensure that new housing is designed in  
congruity with existing urban and  
landscape characteristics, and built with  
healthy materials,
- to ensure economy, firmness and  
reliability of buildings,

planning instruments: spatial planning,  
urban design, technical advice, planning  
and building permits, construction and  
use of building and inspection control

- to support rational use of space and  
energy,
- to ensure nature protection and  
reduction of environmental burdens

## Settlements and housing

- to improve existing housing from ecological, energy and design aspects,
- balanced spatial and regional development,
- environmental protection,
- to provide gradually at least 10.000 new housing units per year,
- to improve availability of all types of housing by different ways of tenancy,
- to improve conditions for building land management, building, and management of housing,
- to enlarge the extent of new development and reconstruction,
- to balance supply and demand on housing market,
- to foster demographic development

public funding

## Tourism

### Level 2: Laws of public policy

#### National level

##### **Act on advancing tourism (1998)**

Ministry for economy

##### **Program for stimulation of tourism development (1998),** Ministry for economy

##### **Resolution on strategic goals in tourism development and action plan for implementation (1995)**

Ministry for economy

#### Objectives

- to attain long term competitiveness of tourist economy with development of tourist infrastructure and improvement of touristic offer

- to foster growth of touristic demand

- to place Slovenija among touristically developed countries,

- to double the income from tourism,

- to develop competitive, recognizable and quality touristic products, based on the use of indigenous knowledge and creativity, natural and cultural heritage,

- to support development of tourism, planned development of certain tourist centers on delimited tourist areas,

- to provide balanced regional development,

### Level 3: Instruments for public policy implementation

#### National level

National tourist organization

#### Objectives

to improve the role of tourism

## Tourism

- to protect and regenerate resources for tourism development,
- to conserve landscape and other cultural qualities,
- to improve quality as a marketing principle,
- to retain and emphasize identity and innovation

subprogram for tourism promotion

to ensure systematic and quality promotion of slovenian tourism

subprogram for common tourist infrastructure

to support construction and reconstruction of common tourist infrastructure

## Implementation of EU structural and cohesion policies

### Level 2: Laws of public policy

#### National level

#### Objectives

**Act on stimulating balanced regional development** (1999)  
Ministry for economy

**Act on public finance** (1999/2001)  
Ministry of finance

**Act on organization and competences of Ministries** (1994 with changes),  
**Decree on organization and competences of Service of the RS government for European affairs** (1997 with changes)

Government of the RS

### Level 3: Instruments for public policy implementation

#### National level

#### Objectives

Council for structural policy

Agency of the RS for regional development

unified process of planning, execution and supervision of programs, financed by national or foreign sources

long-term budget programming

National Aid Coordinator – NAC, for Slovenia is Minister responsible for European affairs with the sector for foreign support in Service RS for European affairs

to plan and execute support programs and supervise use of funds in the receiving country

## Implementation of EU structural and cohesion policies

**Regional development strategy for Slovenia** 2001-2006, Ministry for economy, National agency for regional development,

institutional development (Structural policy council, Agency for regional development, regional development agencies network, public fund for regional development), for cooperation in structural and cohesion EU policy and programs (PHARE, ISPA, SAPARD), , monitoring and evaluation of policies and programs

National development program

monitoring and evaluation of policies and programs

**National development strategy** (2001-2006) Ministry for economy to optimize development and regional policies

establishment of regional administration to provide budget finance and finance from EU cohesion funds

organization of national administration, programs (i.e National development program), co-financing to obtain financing from the structural and cohesion funds and to ensure its effective placement

## Implementation of EU structural and cohesion policies

**National development program**  
(2001-2006), Ministry for economy,  
Ministry for finance

- to provide strategic basis for use of European financial support (Phare 2001-2003, cohesion funds, cross-border funds 2004-2006)

- to establish institutions for management, implementation, monitoring and supervision of measures, co-financed from structural funds

- to improve effectiveness and coordination of functioning of ministries

- to organize required administrative and implementation structures to execute structural policy:

- to develop management system on regional level based on principle of partnership with local communities and other development actors

Implementing Agency – IA

decentralization of ISPA program

Managing structure of the National development program for structural policy:

Managing Authority

Monitoring Committee

Intermediate Bodies

## Implementation of EU structural and cohesion policies

Program councils

Paying Authority

Managing structure of the National development program for cohesion policy:

Managing Authority (Ministry for economy)

Implementing Bodies (Other Ministries)

Paying Authority

Monitoring and evaluation

Financial supervision

Technical support

National funds

System of national funds supervision

Rules for functioning of three supervisory bodies / SAPARD, ISPA, Common supervisory council

**Resolutions of Government of RS**  
(2001), Government of the RS

## Implementation of EU structural and cohesion policies

**Decree of the government of RS on general accreditation conditions for financing agencies for use of EU funds (1999) and on conditions for functioning of Agency for agricultural markets and countryside development (2000)** with accompanying documents and guidelines, Government of the RS

Agency for agricultural markets and countryside development - institution under the Ministry for agriculture, forestry and food

to implement and finance pre-accession SAPARD programs

**Memorandum on establishing Central Finance and Contract Unit - CFCU, between European Commission and Service of the RS government for European affairs (1997/2001)**, Government of the RS

Central Finance and Contract Unit - CFCU, as executive agency under Ministry for finance

to execute the invitation for tenders and contracts with contractors

**Memorandum on establishing National fund, between European Commission and Service of the RS government for European affairs (1998/2000)**, Government of the RS

National Fund - NF as a central financial institution within the Ministry of finance

- to direct EU funds in the partner country,

- to manage allocated funds to execute tasks related to (pre)accession instruments PHARE and ISPA

Common supervisory committee with six supervisory sub-committees for PHARE and supervisory committees for ISPA in SAPARD

to monitor and evaluate all three accession support instruments

## Non-governmental policies

### Level 2: Document of non-public policy

#### National level

#### Objectives

**Partnership for environment - Cooperation program between environmental NGOs and Ministry for environment and spatial planning**, Environmental NGOs, Ministry for environment and spatial planning, REC - Regional Environmental Center for central and eastern Europe

to provide (financial and other) conditions for functioning of environmental NGOs

### Level 3: Instruments for non-public policy implementation

#### National level

#### Objectives

education and awareness raising about importance environmental protection

change of governmental policy regarding non-governmental sector

Promotion of political will for common decision forms

criteria for NGO identification and classification

education of NGO representatives

Implementation of measures for cooperation improvement

Information dissemination on sources of financing, cooperation in decisions about condition, priorities etc for financing

Change in tax legislation

awareness of importance of environment protection and related actors

recognised role of NGOs in society

base for cooperation

NGO identification and classification

professionalism of NGO employees

effective cooperation - networking among env NGOs

financial stability of NGOs

more stimulative legislation for NGOs

## Non-governmental policies

to improve environmental information accessibility	rules on information accessibility, free and accessible data in databases, lists, registers etc in documentation center	availability of environmental information and information on national and local institutions' activities
	preparation of legal regulation on "public information"	legal regulation of "public information"
public participation in decision making about environmental activities, plans, programs and policies and in preparation of environmental legislation	identification of NGO interest for cooperation	participation of NGOs
	identification of working bodies, appointment of NGO representatives, open possibilities for self-inclusion of NGOs in working bodies	Representation of NGOs in working bodies
	awareness raising, education	Awareness among different groups about rights and duties of cooperation
	implementation of Partnership for environment program, mutual information sharing between Ministry and NGOs	Permanent cooperation between environmental NGOs and Ministry for environment and physical planning
	cooperation and communication between environmental NGOs and other subjects	improved cooperation between environmental NGOs and other subjects
	cooperation in preparation of legal documents related to public participation	Legal base for cooperation between NGOs and interested public

## Non-governmental policies

<p><b>Regional environmental center for central and eastern Europe program</b>, REC - Regional environmental center Slovenija</p>	<p>To stimulate development of environmental NGOs,</p> <p>to improve their social, legal status and financially stability,</p> <p>to improve their influence in decision making,</p> <p>to attain wide recognition of NGOs as important and indispensable partner in the proces of environmental protection and sustainable development</p> <p>Priorities:</p> <p>to support environmental and nature conservation actors and foster cooperation among NGOs, governmental and economic actors, local authorities and other interest groups in solving environmental problems on local and national level,</p> <p>to obtain and disseminate information,</p> <p>to support public participation,</p> <p>to qualify NGOs and local representatives for acqisition of EU financial sources,</p> <p>to cooperate in relevant EU programs</p>	<p>Co-financing of environmental and nature conservation projects and projects of institutional consolidation of NGOs, Common fund (REC + Open society fund) for financing NGO projects</p> <p>Local programs of financial support</p> <p>Emergency financial support</p> <p>Financial support for small projects</p> <p>competition for the Compliance with EU guidelines Award for cities of central and eastern Europe (EU XI DG, Movement of european cities for sustainability, Coucil of european local communities and REC)</p>	<p>To improve financial stability of NGOs, to initiate donations and sponsorship of NGOs from public and private resources, to improve ability of NGOs to obtain financing from different resources</p> <p>to support institutional development of NGOs and their basic programs of public empowerment and involment</p> <p>To help NGOs overcome emergency situations</p> <p>to support active participation, to improve cooperation with local and natioanl authorities, to develop and disseminate attitudes about environmental issues, to enhance public consciousness about environmental priorities to initiate wide discussion about environmental issues, to cotribute to the biodiversity conservation via public participation</p> <p>To stimulate and support local communities in facing the challenges of mandatory environmental requirements</p>
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## Non-governmental policies

		Information sharing and exchange: - bimonthly bulletin, publications, Environmental library, databases	To support and enable effective participation of public/NGOs in environmental decisions
<b>Umanotera program</b> , Umanotera - Slovenian foundation for sustainable development	- to foster implementation of internationally accepted sustainability principles,  - to attain balance between human society and environment  - to conserve natural resources and biodiversity, to promote environmental ethics	partnerships between individuals, companies, organisations and institutions  - own activities: education, training, publishing, networking, projects,  - cooperation with national and local authorities in development programmes for sustainable development and action plans for their implementation	
<b>Alpine convention</b> (Act on Alpine convention ratification), (1995), CIPRA – Slovenija	to conserve natural and cultural heritage in Alpine space,  to respect and promote measures for nature and landscape protection,  - development in concordance with nature protection principles and acceptable for environment and society,  - effective and sustainable reduction of environmental burdens to nonharmful levels  - to develop wide awareness about Alps	Use of official Alpine convention sign for eligible projects  Legal protection of products, services...quality  Handbooks of best / worst practices  establishing of independent public service  Alpine fund and Private foundation for Alps	To asses congruity of projects and measures with Alpine convention  to support implementation of Alpine convention protocols, to support cooperation, information, education...activities of Alpine convention



## Non-governmental policies

Implementation of Alpine convention protocols	Protect soils, prevent negative impacts of ski resorts, remove existing environmental burdens, assure ecological functions of mountain forests, use of indigenous products, reduce road traffic, rational energy consumption
nature protection areas on local level	ecological bridges between protected areas - eco - corridors
Information campaign for endangered wildlife	
Regional and inter-regional development projects	
Nomination for the Alpine city of the year	
Financial support for extensive farming in mountain areas	To conserve genetic diversity in mountain agriculture
Cooperation in national and inter national information and financial networks	
research	to provide quality of life and development for people in alpine areas
Crossborder spatial plans and plans for sustainable development	
Environmental impact assessments for interventions in Alpine areas	

## Non-governmental policies

<b>Statute of the Mountain Association of Slovenia</b> (2001), Mountain Association of Slovenia , Mountaineering societies	to direct, coordinate and promote building, management and maintenace of mountain accomodations and other economic activities,	presentation of natural beauties, sights...of mountains to wide audience with use of all public media, organisation of hikes,..., and other mountain activities,
	to protect nature and healthy environment,	organisation of education, lectures, expositions, cultural events,
	to promote activities in natural environment in order to recognize natural beauties, natural and cultural sights, and to improve physical welfare,	publishing technical and educational literature, guide books, maps and information materials,
	to create conditions and possibilities for living in nature, above all in the mountains	building, management and maintenace of mountain buildings and infrastructure
<b>Hunting association of Slovenia - Leading principles</b> , Hunting association of Slovenia, Hunting societies	To conserve diversity of animal species in Slovenia	activities for environmental management and protection,  plans for wildlife management,  education of hunters,  information for public



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## **APPENDIX: POLICY MATRIX - SLOVENIJA**