



SUPPORT FOR THE ORGANIZATION OF BILATERAL DIALOGUES WITH SLOVENIA

in the context of Action 5 of
the Action Plan for Nature, People and the Economy

February 2018

**Support for the organization of bilateral dialogues with Slovenia in the context of Action 5 of the
“Action Plan for Nature, People and the Economy”**

This report was compiled by the N2K group as consultants of the European Commission and supplemented by additional information kindly provided by Slovenian authorities. Its purpose is to support the bilateral dialogue between the European Commission and national authorities in the context of Action 5 of the “Action Plan for Nature, People and the Economy”, using the Environmental Implementation Review, aimed at agreeing a roadmap to improve the implementation of the nature *acquis*. The report reflects the priorities of the EU 7th Environmental Action Programme and the EU Biodiversity Strategy 2020. It is based on predominantly desk research on the Natura 2000 governance and management and the overall strategy for reaching favourable conservation status; implementation of Art 6(3) and 6(4); use of derogations and financing. The report identifies the main challenges and outlines discussion topics.

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List of abbreviations

AA	Appropriate assessment pursuant to article 6(3) of the Habitats Directive
AEP	Agri-environmental payments or agri-environmental-climate payments in accordance with the Rural Development Plan
BD	Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds (Birds Directive)
EAFRD	European Agricultural Fund for Rural Development
EIA	Environmental impact assessment
ERDF	European Regional Development Fund
FCS	Favourable conservation status
FMA	Forest Management Area
FMU	Forest Management Unit
FRIS	Fisheries Research Institute of Slovenia
HD	Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive)
IRSNC	Institute of the Republic of Slovenia for Nature Conservation
LIFE	LIFE Programme Financial Instrument
MOA	Ministry of Agriculture, Forestry and Food
MOE	Ministry of the Environment and Spatial Planning
PUN 2007-2013	Natura 2000 Management Programme 2007-2013
PUN 2015-2020	Natura 2000 Management Programme 2015-2020
RDP 2014-2020	Rural Development Programme 2014-2020
SAC	Special Areas of Conservation (according to the Habitats Directive)
SCI	Sites of community importance (according to the Habitats Directive)
pSCI	proposed Sites of community importance (according to the Habitats Directive)
SEA	Strategic Environmental Assessment
SFS	Slovenia Forest Service
SPA	Special Protection Areas (according to the Birds Directive)

1. Introduction

1.1 Action Plan for Nature, People and the Economy

European Commission undertook a comprehensive evaluation of the Nature Directives¹ (known as the 'Fitness Check') under its commitment to better regulation, in consultation with the Member States and a diverse range of stakeholders, including citizens. This evaluation has found that, as a cornerstone of EU biodiversity policy, the Nature Directives are fit for purpose, but that achieving their objectives and realising their full potential can only be accomplished by substantially improving their implementation.

Therefore, in April 2017, the Commission adopted the "Action Plan for Nature, People and the Economy"². The Action Plan has 15 actions that are explained in detail in the factsheets³. Measures will be taken at EU level, but Member States and stakeholders concerned will also need to act, with increased support and assistance from the European Commission. The Council of the EU addressed the Action Plan in the Council conclusions adopted on 19 June 2017 and the European Parliament adopted the resolution on the Action Plan on 15 November 2017. The Council welcomed the Action Plan and presented Member State's positions on a number of topics. Among those relevant for this bilateral meeting are the positions of the Council that welcome:

- the fact that the Commission, in close cooperation with the Member States, will update, develop and actively promote clear guidance and knowledge in all official languages of the EU to support the implementation of the Nature Directives, including updating by 2018 the guidance document on species protection rules and species action plans, whilst ensuring greater coherence between Europe's broader socioeconomic objectives and nature policy and engaging with stakeholders, land and marine users to explore smarter participative approaches;
- the Commission's initiative to develop guidance on the integration of ecosystem services into decision-making, allowing for potential positive impacts on human wellbeing as well as sustainable economic growth and social development;
- the support mechanism that the Commission will establish to help Member State authorities address key challenges in applying the Nature Directives' requirements related to permitting procedures, without jeopardising the application of the principle of subsidiarity
- the voluntary, dedicated bilateral dialogues between the Commission and Member States within the framework of the new Environmental Implementation Review process, aimed at addressing structural problems, responding to the needs of Member States and reflecting data submitted by them.

Action 5 of the Action plan states that the new Environmental Implementation Review⁴ process will be used for dedicated bilateral meetings with national and regional authorities to develop agreed roadmaps to improve the implementation of Nature Directives and consult with landowners and other stakeholders on implementation challenges. The Council of the EU welcomed the development of roadmaps as a possible tool for cooperative action in the context of the Natura 2000 biogeographical process.

¹ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, (Birds Directive) and Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive)

² http://ec.europa.eu/environment/nature/legislation/fitness_check/action_plan/communication_en.pdf

³ http://ec.europa.eu/environment/nature/legislation/fitness_check/action_plan/factsheets_en.pdf, Slovenian language version available here http://ec.europa.eu/environment/nature/legislation/fitness_check/action_plan/index_en.htm

⁴ http://ec.europa.eu/environment/eir/index_en.htm

Slovenia voluntarily agreed to host a bilateral meeting in March 2018 and the information in this document is intended to support the conduct of this meeting and support development of an agreed roadmap.

The main issues related to the implementation of Nature Directives in Slovenia are:

- implementation of Natura 2000 in cooperation with other sectors
- implementation of appropriate assessment - Art. 6(3) and 6(4)
- financing of Natura 2000
- management of large carnivores
- monitoring and reporting
- communication

Next chapters of this document give a summarized background information for these issues.

2. Implementation of Natura 2000 in cooperation with other sectors

2.1 Natura 2000: designation and sufficiency

The procedure for designation of Natura 2000 sites in Slovenia is defined in Article 33 of the Nature Conservation Act, transposing Article 4 of the Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive, HD) and Article 4 of the Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds (Birds Directive, BD). In Slovenia, the Natura 2000 designation process started in 2001 with collecting scientific background data. The Institute of Republic of Slovenia for Nature Conservation (IRSNC) prepared an expert proposal. The proposal was presented to the local communities and the government has prepared the *Plan establishing the effects of Natura 2000 impact areas and determining development measures*⁵. At the end of April 2004, just before joining the European Union, 286 Natura 2000 sites were proposed with the *Decree on special protection areas (Natura 2000 areas)*⁶ and the Ministry of the Environment and Spatial Planning (MOE) has sent a notice with the list of Special Protection Areas (SPAs) and proposed Sites of community interest (pSCIs) to the European Commission. The first proposal of Natura 2000 network in Slovenia was covering 35% of the national territory⁷.

During the biogeographical seminars to assess the sufficiency of SCI designation in 2005, 2006 and 2010, it was assessed that the first Slovenian proposal was inadequate. Only 50% of species and habitat types of European concern were adequately included in the network and sufficiency index was at 73%. This is why some substantive amendments were made in the Slovenian Natura 2000 network in 2013 and 2016 upon several incipient pre-litigation procedures by the European Commission⁸.

Slovenia has now designated 355 Natura 2000 sites. Of those, 31 are SPAs under the Birds Directive. Under the Habitats Directive, there are currently 323 sites which are already designated as Special Areas of Conservation (SAC), and one area is still pending the SAC designation and is listed as a Site of Community Importance (SCI). The total surface under the Natura 2000 network covers 37,16% of the national territory (**Table 1**).

Table 1. Number, surface and percentage of Natura 2000 sites in Slovenia after the last expansion in 2016.

		Surface (terrestrial + marine)		Surface (terrestrial)		Surface (sea)	
		km ²	% SLO	km ²	% SLO	km ²	% SLO
Slovenia	1	20485	100,00	20274	99	214	1
Sites	Number	km2	% SLO	km2	% SLO	km2	% SLO
Natura 2000 sites	355	7684	37	7678	38	6	3
SPA	31	5077	25	5072	25,02	5	3
SCI + SAC	324	6640	32	6639	32,74	1	0,4

Officially submitted data

⁵ Načrt ugotavljanja posledic vpliva območij Nature 2000 in določitev razvojnih ukrepov (2004)

http://www.natura2000.gov.si/uploads/tx_library/nacrt_ukrepov.pdf

⁶ Uredba o posebnih varstvenih območjih (območjih Natura 2000) (Uradni list RS, št. 49/04, 110/04, 59/07, 43/08, 8/12, 33/13, 35/13 – popr., 39/13 – odl. US, 3/14 in 21/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED283>

⁷ Petkovšek, M. 2015 Vzpostavljjanje omrežja Natura 2000 [Establishment of the Natura 2000 network]. Varstvo narave 28: 41–61. Available at: http://www.zrsvn.si/dokumenti/63/2/2015/Petkovsek_4062.pdf

⁸ Petkovšek, 2015

According to the Natura barometer⁹ based on 2016 data and therefore not entirely up to date, Slovenia has almost reached sufficiency for terrestrial SCIs. There are still few features for which the sites still cannot be designated due to insufficient scientific data. The process of achieving SCI sufficiency for marine Mediterranean biogeographic region and marine SPA sufficiency is somewhat slower and full sufficiency has not been reached yet. However, the results from recent aerial surveys of the Northern Adriatic show that clearly identifiable areas representing the physical and biological factors essential to the life and reproduction of highly mobile marine species for which SCIs need to be designated, probably do not occur in Slovenian territorial waters.

2.2 Governance of Natura 2000 network

In this chapter, we provide an overview of governance and institutional framework related to the Natura 2000 network in Slovenia.

In Slovenia, the achievement of the favourable conservation status of species and habitat types in Natura 2000 sites is performed through sectoral planning of measures related to management and use of natural resources and with adequate spatial planning. On agricultural land, where there is no sectoral planning, farming practices of landowners are influenced through the mechanisms of the EU Common Agricultural Policy, in particular through measures related to rural development. The framework for Natura 2000 management is set out in the **Natura 2000 Management Programme (PUN)**, which is adopted by the Government.

The first *Natura 2000 management programme for the period 2007-2013* (PUN 2007-2013) was adopted in October 2007¹⁰. The new *Natura 2000 management programme for the period 2015-2020* (PUN 2015-2020) was adopted in April 2015¹¹. In 2016, minor changes were made to this programme¹² to reflect the changes due to the expansion of Natura 2000 network in 2016. To cover the gap between the two programming documents in 2014, the government amended the Decree so that PUN 2007-2013 remained valid until the adoption of PUN 2015-2020.

In this chapter, we present, for each sector involved in the management of Natura 2000 network, the overall institutional framework and relationship between various public institutions in relation to planning and implementation of Natura 2000 management.

2.2.1 Nature protection

Institutional framework for nature protection

In Slovenia, there is no special authority for the management of Natura 2000 network and duties are performed by several institutions. Management of Natura 2000, as stipulated by the Nature Directives (incl. the case law), is a permanent task. In Slovenia the “fil-rouge” for the management of Natura 2000 is led by public nature conservation institutions (presented below), which are responsible for performing almost all duties. These are performed as their regular tasks and therefore almost solely financed from the Slovenian state budget, also in SACs, where Article 8 of the Habitats Directive applies.

The **Ministry of the Environment and Spatial Planning (MOE)** is responsible for a broad set of issues, including biodiversity conservation, climate change, biotechnology, water and air conservation, waste

⁹ Natura 2000. Nature and Biodiversity Newsletter, Number 42 July 2017. Available at: http://ec.europa.eu/environment/nature/info/pubs/docs/nat2000newsl/nat42_en.pdf

¹⁰ Sklep Vlade RS 35600-3/2007/7, 11. 10. 2017

¹¹ Sklep Vlade RS 00719-6/2015/13, 9. 4. 2017

¹² Sklep Vlade RS, 35600-1/2016/3, 24. 3. 2016

management, spatial planning and impact assessments. MOE is preparing legal acts and adopting acts under their jurisdiction and is responsible for the implementation of national policy documents on nature conservation. MOE also oversees the work of all other institutions working in public service of nature conservation: the Institute of the Republic of Slovenia for Nature Conservation (IRSNC) and public institutes established for the management of national protected areas. Two sectors within MOE are in particular relevant for the management of Natura 2000 network: Sector for Nature Conservation and Sector for Environmental Impact Assessments.

Slovenian Environment Agency (ARSO) is a body of the Ministry of the Environment and Spatial Planning, which performs expert, analytical, regulatory and administrative tasks related to the environment, including nature conservation at the national level. Another body of MOE is **Inspectorate for the Environment and Spatial Planning**, which is performing law enforcement tasks.

Institute of the Republic of Slovenia for Nature Conservation (IRSNC) is the national expert institution which is organised in one central and seven regional units. In relation to Natura 2000, the most important tasks of IRSNC include: (i) monitoring of biodiversity, valuable natural features¹³ and caves, (ii) managing biodiversity databases, (iii) drawing-up of nature protection guidelines for spatial plans and natural resource use plans, (iv) preparing opinions in spatial planning procedures, natural resource use planning procedures, appropriate assessments and for the activities affecting nature, (v) preparing expert proposals of conservation measures and proposals for the establishment of new protected areas, (vi) cooperating in development of management plans of protected areas, (vii) expert procedures in administrative procedures of MOE, (viii) carrying out measures to preserve valuable natural features and biodiversity, (ix) assisting owners of land on valuable natural features and protected areas, (x) awareness raising, (xi) reporting, among others also on status of Natura 2000 target species and sites.

National protected areas are one of the most important nature conservation measures. According to the **Nature Conservation Act**¹⁴, several types of national protected areas can be established in Slovenia. A small protected area can be designated as a natural monument, strict nature reserve or a nature reserve. A larger protected area can be designated as a national park, a regional park or a landscape park.

Protected areas can be established by the state or municipalities or in a partnership of both. The founder is obliged to ensure proper management. Management of national protected areas is defined as a public service of nature protection and comprises measures for protection of biodiversity, natural and cultural values (among them, for example, management of habitats and species, control of water regimes, vegetation growth, invasive alien species, management of substitute habitats, control of the most sensitive biodiversity areas, control of visitors, etc.), monitoring, communication, provision of information, patrolling, contractual protection and others, which are supportive to maintenance or improvement of the favourable conservation status of species and habitat types in the overlapping Natura 2000 sites. Management of protected areas is performed by a dedicated institution, or it is devolved to an existing institution. Currently, management of nine protected areas established by the state is ensured by nine state public institutes. Their work is supervised by MOE, which is also deciding on the level of financing from the state budget. In two cases, the state has awarded a concession for the

¹³ According to the Nature Conservation Act, valuable natural features include all natural heritage in the territory of the Republic of Slovenia. (2) In addition to a rare, valuable or well-known natural phenomenon, a valuable natural feature shall be any other valuable phenomenon; component or part of the living or non-living nature; nature area or part thereof; an ecosystem; landscape; or designed landscape.

¹⁴ Zakon o ohranjanju narave (Uradni list RS, št. 96/04 – uradno prečiščeno besedilo, 61/06 – ZDru-1, 8/10 – ZSKZ-B in 46/14). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1600>

management of protected areas. Municipalities are providing management directly or through dedicated institutes. **Municipalities** have a relatively little role in the management of Natura 2000 network, except in the case they have established a protected area on their territory which is overlapping with Natura 2000 sites. If such protected areas have an operational management authority in place, some management tasks are devolved to them as well.

The complexity of management planning of Natura 2000 in Slovenia strongly relies on the cooperation of various sectors. In the report prepared for the Fitness Check of Birds and Habitats Directives, MOE concluded: *»Cooperation with other relevant sectors has improved as well as their understanding of the need for protection of nature and obligations under the Natura 2000. The obligation of nature conservation with emphasis on obligations of Natura 2000 on a national level is increasingly considered in preparation of their programmes. Nevertheless, there is still room for improvement, and further efforts in communication and cooperation are needed«* and continues that *»the scope for policy integration with other policy objectives (e.g. water, floods, marine, and climate change) is not fully exploited and could be improved«*¹⁵.

Implementing regular duties of Natura 2000 management requires a number of dedicated staff at each of the listed institutions. Slovenia's Natura 2000 network is the largest (in percentage of national territory) of all EU Member States, it is designated for achieving a favourable conservation status of very large number of Natura 2000 features (species and habitat types), and therefore requires a large number of staff to perform regular tasks. Because of limitations of the state budget (especially in the period of financial crisis) all listed institutions are insufficiently staffed for these duties. Regular duties are financially not supported by the EU funds, even if Article 8 of the Habitats Directive applies to SACs.

Large proportion of activities for achieving FCS of Natura 2000 species and habitat types that are done through projects of limited duration also depends on the sufficient staff in these institutions. The EU funds provide a substantial support for implementation of these activities. Planning processes for multiannual financial perspectives and thus also for setting Natura 2000 conservation objectives and measures to achieve them were always co-financed by the EU funds.

Legal framework for nature protection

In Slovenia, nature conservation is part of the environmental protection system. The legal basis for the operational programmes for environmental protection are defined in the **Environmental Protection Act**¹⁶ and are adopted by the Government of the Republic of Slovenia.

The main act on nature conservation is the **Nature Conservation Act**¹⁷, which defines a comprehensive nature conservation system aiming to protect valuable natural features and to preserve biodiversity. It defines the subjects of protection, means and measures of protection, organisation, financing, programming and planning of nature conservation and other issues necessary for providing effectiveness in the field. The act also includes provisions for conservation of internationally protected

¹⁵ Evidence Gathering Questionnaire for the Fitness Check of the Nature Directives, replies from Slovenian Ministry of the Environment and Spatial Planning, 18.3.2015. Available at:

http://ec.europa.eu/environment/nature/legislation/fitness_check/evidence_gathering/docs/Member%20State%20Stakeholders/Nature%20Protection%20Authorities/SI/MS%20-%20SI%20-%20NPA%20-%20EGQ.pdf

¹⁶ Zakon o varstvu okolja (Uradni list RS, št. 39/06 – uradno prečiščeno besedilo, 49/06 – ZMetD, 66/06 – odl. US, 33/07 – ZPNačrt, 57/08 – ZFO-1A, 70/08, 108/09, 108/09 – ZPNačrt-A, 48/12, 57/12, 92/13, 56/15, 102/15, 30/16 in 61/17 – GZ).

Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1545>

¹⁷ Zakon o ohranjanju narave (Uradni list RS, št. 96/04 – uradno prečiščeno besedilo, 61/06 – ZDru-1, 8/10 – ZSKZ-B in 46/14).

Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1600>

wild flora and fauna, important ecological areas and special protected areas, which compose the European ecological network of Natura 2000 sites.

General use of a natural resource or natural public good which is at the same time a valuable natural feature (including, for example, nationally or locally established protected areas and also Natura 2000 sites) may be carried out in such a way that the existence of a valuable natural feature (or maintenance of the favourable conservation status of features in a Natura 2000 site) is not threatened and that it does not impede the protection of a valuable natural feature¹⁸. Agricultural or forestry practices, for example, are considered as a general use of the natural resource.

The birds listed in the Birds Directive and other animals and plant species from the Habitats Directive are protected by two executive acts: ***Decree on the protection of wild animals***¹⁹ and ***Decree on the protection of wild plants***²⁰.

Special protection areas (SPAs) and (potential) special areas of conservation (SACs) are determined by the ***Decree on special protection areas (Natura 2000 areas)***²¹. This decree has been amended on several occasions, to reflect the changes needed to achieve sufficiency of Natura 2000 network. The current list of SPAs and SACs was adopted in March 2016²².

Another general act relevant for the conservation of Natura 2000 sites is the ***Cave Protection Act***²³, which regulates the protection and use of caves, protection regimes, conservation measures and other types of the code of conduct, including the restoration of polluted or damaged caves. Caves are natural resources of national importance and are owned by the state.

Several acts provide grounds for establishing national protected areas. In Slovenia, **Natura 2000 network is not part of the national protected areas network** and there is an important difference between these two systems. While the acts on the establishment of national protected areas in detail prescribe restrictions on activities, this is not the case for overlapping Natura 2000 sites. There, general conservation goals and rules of conduct are set for the Natura 2000 network, but more in the form of guidance and not as a strict, legally binding regime.

Specific conservation objectives and conservation measures for each target species/habitat type in each Natura 2000 site are set out in the ***Natura 2000 Management Programme*** (PUN), which is required by Article 12 of the ***Decree on special protection areas (Natura 2000 areas)***. This programme is the primary policy planning document for the Natura 2000 framework, addressing the whole network. No separate Natura 2000 sites' management plans are made in Slovenia, except in the areas where Natura 2000 areas overlap with (managed) protected areas²⁴.

¹⁸ Article 44 of the Nature conservation act

¹⁹ Uredba o zavarovanih prosto živečih živalskih vrstah (Uradni list RS št. 46/04, 109/04, 84/05, 115/07, 32/08 – odl. US, 96/08, 36/09, 102/11, 15/14 in 64/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED2386>

²⁰ Uredba o zavarovanih prosto živečih rastlinskih vrstah (Uradni list RS, št. 46/04, 110/04, 115/07, 36/09 in 15/14). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED3192>

²¹ Uredba o posebnih varstvenih območjih (območjih Natura 2000) (Uradni list RS, št. 49/04, 110/04, 59/07, 43/08, 8/12, 33/13, 35/13 – popr., 39/13 – odl. US, 3/14 in 21/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED283>

²² Uredba o spremembah Uredbe o posebnih varstvenih območjih (območjih Natura 2000) (Uradni list RS, št. 21/2016), Available at: <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2016-01-0818?sop=2016-01-0818>

²³ Zakon o varstvu podzemnih jam (Uradni list RS, št. 2/04, 61/06 – ZDru-1 in 46/14 – ZON-C). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO2068>

²⁴ Management plans are only obligatory for national and regional parks. In practice there is also a tendency to develop them for landscape park and nature reserves.

The overarching policy document determining the management of Natura 2000 is the **Natura 2000 Management Programme (PUN)**, which should consist of the following items:

- i. detailed site **conservation objectives** which generally refer to specific parts of Natura 2000 areas where species or habitat types occurs (zones);
- ii. **conservation measures** for achieving conservation objectives determined for individual Natura 2000 areas. These may include: nature conservation measures, measures of modified use of natural resources, measures of adjusted agricultural practice, water management measures, measures of cultural heritage protection, other measures required to provide a favourable status of species and habitat types;
- iii. **indicators** which must be regularly monitored to establish the efficiency of measures to achieve a favourable status of species and their habitats and habitat types with a statement regarding **operators, deadlines and financial sources**;
- iv. measures of protection and activities required to provide the connection with the European ecological network.

The first **Natura 2000 management programme for the period 2007-2013** (hereinafter referred to as PUN 2007-2013) was adopted in October 2007²⁵. The new **Natura 2000 management programme for the period 2015-2020** (hereinafter referred as PUN 2015-2020) was adopted in April 2015²⁶ and its development was co-financed by the LIFE programme²⁷. In 2016, minor changes have been made to this programme²⁸ to reflect the changes made within last expansion of Natura 2000 network in 2016. To cover the gap between the two programming documents in 2014, the government amended the Decree so that PUN 2007-2013 remained valid until the adoption of PUN 2015-2020.

The purpose of PUN is to achieve the conservation objectives in Natura 2000 sites. It contains specific conservation objectives and conservation measures or more detailed protection guidelines, their holders or contractors and financial resources for their implementation in each Natura 2000 site. Conservation measures are prepared with due consideration of the characteristics areas, including socio-demographic, economic and cultural characteristics of the actual situation in the ecosystem, and existing and expected threats. Researchers and experts from other sectors were included in developing conservation measures for both PUNs.

To achieve their transposition into respective sectoral documents, IRSNC as the main public authority in the field of nature conservation prepares for each sectoral plan detailed **nature protection guidelines**. These are then, through cooperation with relevant institutions, integrated into each sectoral document. Prior to the adoption of these documents, IRSNC is verifying compliance with nature protection guidance and issuing an opinion on that. According to Article 13a of the Decree on special protection areas (Natura 2000 areas), plans which transpose Natura 2000 measures into the natural resource use plans and water management plans do not need to go through the appropriate assessment procedure.

²⁵ Sklep Vlade RS 35600-3/2007/7, 11. 10. 2017

²⁶ Sklep Vlade RS 00719-6/2015/13, 9. 4. 2017

²⁷ SI Natura2000 Management - Natura 2000 Management programme for Slovenia for the period 2014-2020, LIFE11 NAT/SI/000880

²⁸ Sklep Vlade RS, 35600-1/2016/3, 24. 3. 2016

2.2.2 Forest management

Institutional framework for forest management

Forests account for almost 71% of the total surface of Natura 2000 sites in Slovenia²⁹, which is around 15% higher than the European average and highlights their importance for conservation of biodiversity.

Forest management and forestry are under the competences of the **Ministry of Agriculture, Forestry and Food**. The most relevant for forestry management is the **Forestry Division** within the Directorate for Forestry, Hunting and Fisheries. It monitors the forests' condition and develops system solutions for sustainable development of forests ecosystems and biodiversity and all the environmental, production and social functions of forests.

Public forestry service is performed by **Slovenia Forest Service (SFS)**, which has one central and 14 regional units. Regional units are further divided into 93 local units and 408 forest districts. The Slovenia Forest Service also comprises 10 hunting reserves with a special purpose whose task is sustainable management of wild animals, protection of rare and endangered animal species and they also perform activities of hunting tourism. Forest management in Slovenia is based on understanding the ecological role of forests and their sustainability. Forest functions are equally distributed between ecological, social and production roles of forests.

Implementing forest management in Natura 2000 sites requires a number of dedicated staff in SFS. The largest part of Slovenian Natura 2000 network are forests, and they are designated for achieving a favourable conservation status of very large number of Natura 2000 features, and therefore require a large number of SFS staff to perform regular tasks. Because of limitations of the state budget (especially in the period of financial crisis) they are also insufficiently staffed for these duties.

SFS also works on projects to maintain or achieve FCS of forest habitat types and species. Here again the EU funds, matched by national funds, provide an important support for implementation of these activities.

Legal framework for forest management

The planning system in forestry is based on the decrees of the **Act on forests**³⁰ and by-laws. The national policy for sustainable forest management and guidelines for the conservation and development of forests and conditions for their exploitation and multifunctional use are defined in the **National forest programme**³¹. In the preparation of this programme, the IRSNC has not been invited to prepare the nature protection guidelines. However, they were involved in a later stage by preparing basic background standpoints, technical opinions and positions, including in the process of the preparation of the strategic impact assessment of the policy document. The adequate inclusion of IRSNC in the process of development of the National forest programme was also confirmed by the Slovenian Court of Auditors, which recently analysed the effectiveness of Natura 2000 management³².

²⁹ Zakon o gozdovih (Uradni list RS, št. 30/93, 56/99 – ZON, 67/02, 110/02 – ZGO-1, 115/06 – ORZG40, 110/07, 106/10, 63/13, 101/13 – ZDavNepr, 17/14, 24/15, 9/16 – ZGGLRS in 77/16). Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO270>

³⁰ Zakon o gozdovih (Uradni list RS, št. 30/93, 56/99 – ZON, 67/02, 110/02 – ZGO-1, 115/06 – ORZG40, 110/07, 106/10, 63/13, 101/13 – ZDavNepr, 17/14, 24/15, 9/16 – ZGGLRS in 77/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO270>

³¹ Resolucija o nacionalnem gozdnem programu (Uradni list RS, št. 111/07). Available at: <http://pisrs.si/Pis.web/pregledPredpisa?id=RESO56>

³² Računsko sodišče, 2017. Revizijsko poročilo: Ravnanje z varstvenimi območji natura 2000. Available at: [http://www.rs-rs.si/rsrs/rsrs.nsf/1/KD8FFB63593DEF61AC12581B6004595C4/\\$file/Natura2000.pdf](http://www.rs-rs.si/rsrs/rsrs.nsf/1/KD8FFB63593DEF61AC12581B6004595C4/$file/Natura2000.pdf)

For management purposes, Slovenia is divided into 14 forest management areas (FMA) and 236 forest management units (FMU). Fourteen **Forest management plans for forest areas** are prepared by SFS every ten years; the next set is to be adopted by the government in 2021. More detailed **Forest management plans for forest units** are prepared by SFS and adopted by the Ministry for agriculture, forestry and food. As these are very detailed plans, each year about 1/10 of the FMU 10-year plans are prepared. Of 236 FMU plans, 147 are at least partially in Natura 2000 areas and need to take conservation measures into consideration. In the process of development of FMU plans, goals and measures from PUN are further elaborated by IRSNC and transferred into the sectoral forestry planning. Following a suitable inclusion of guidelines from nature protection guidelines and by determining measures in FMU plans, the IRSNC issues a positive opinion about them.

It can be concluded that IRSNC was involved in the most sensitive parts of the **planning process** for the management of forests, where joint field inspections and workshops attended by the representatives of the forest sector and IRSNC were considered as essential for the achievement of the conservation objectives for forest Natura 2000 areas. However, in the recently published review, both IRSNC and Court of Auditors confirm that the process of enforcement and **implementation of particular conservation measures** in the forest Natura 2000 areas **should be improved**.

Weaknesses of implementation of conservation measures in forestry sectors were also pointed out in a response of a group of Slovenian environmental NGOs to the Fitness Check questionnaire, where they wrote: *»Slovenia adopted the system, that forestry management plans take also the function of the Natura 2000 site management plans in case of forested areas that are designated as Natura 2000. This could be in theory a good idea, as forestry planning in Slovenia has a century-long tradition and is supported with considerable public funding. But in practice system works poorly, as people that have a lead in forestry management planning discriminate interests of Natura species conservation in favour of logging. This system provides hardly any benefit for Natura species«.*³³

2.2.3 Hunting management

Institutional framework for hunting management

Hunting management is under the competence of the **Ministry of Agriculture, Forestry and Food**. The most relevant for hunting is the **Hunting and Fisheries Division** within the Directorate for Forestry, Hunting and Fisheries.

Public hunting service is performed by **Slovenia Forest Service (SFS)**, which has one central and 14 regional units. They prepare proposals of hunting management plans, monitor populations of large carnivores and determine measures for improving conditions for wild animals. They also manage 10 hunting reserves with a special purpose which serve for purposes of sustainable management of wild animals, protection of rare and endangered animal species and they also perform activities of hunting tourism. SFS is also keeping the register on the shot game animals and those dying due to collisions with vehicles in traffic. Appointed experts of SFS also determine damages caused by protected animal species (e.g. brown bear, wolf). Register on damage caused by protected species is kept by Slovenian Environment Agency, a body of the Ministry of the Environment and Spatial Planning. They are also responsible for issuing decisions for the exceptional culling of specimens of protected species (see also **Chapter 5. Management of large carnivores**).

³³ DOPPS, 2014. Evaluation study to support the Fitness Check of the Birds and Habitats Directives. Available at: http://ec.europa.eu/environment/nature/legislation/fitness_check/evidence_gathering/docs/Member%20State%20Stakeholders/Non-Governmental%20Organisations/SI/MS%20-%20SI%20-%20NGO%20-%20EGQ.pdf

Legal framework for hunting management

The main legal act determining hunting management is the *Wild game and hunting act*³⁴. Hunting management is planned on the basis of long-term hunting management plans for the 15 wider hunting management areas. These plans are prepared by SFS and adopted by the government plans.

On the basis of wild game and hunting act, there are 408 hunting grounds, and 12 special purpose hunting grounds were established. Wildlife is managed by the hunting grounds' operators, i.e. hunting clubs and special purpose hunting grounds. In order to manage it, hunting clubs have concession contracts with the Republic of Slovenia.

2.2.4 Fisheries management

Institutional framework for fisheries management

Fisheries management is under the competences of the **Ministry of Agriculture, Forestry and Food**. The most relevant for fisheries management is the **Hunting and Fisheries Division** within the Directorate for Forestry, Hunting and Fisheries.

A public institution in the field of fisheries is the **Fisheries Research Institute of Slovenia** (FRIS), it has one central unit with departments for freshwater fisheries, marine fisheries and fish farming. FRIS performs public service activities in the fields of freshwater and marine fisheries. It also engages in commercial activities in the areas of sport and recreational fishing and fish farming, and different research and expert tasks in the field of fisheries biology. Their tasks most relevant for Natura 2000 management include: (i) monitoring of Natura 2000 fish and lamprey species; (ii) performing of other professional tasks according to the regulations on nature conservation and general act on fisheries; (iii) implementation of fisheries management in the waters of special significance, determined by governmental decree and in the fishing districts in which a decision has not yet been made or have been deprived of a concession for the management of fishing; (iv) preparation of plan for fishery management in fisheries areas; (v) production of fish- breeding plans; (vi) certification of annual programs of fisheries management performers; (vii) issuing consents/approvals and expert opinions.

On the ground, **fisheries management is provided by the organisation to which the state is granting concession** in parts of fishing districts. In most cases, these tasks are performed by fishing clubs, which in their management activities need to follow the policy plans adopted by the state.

Implementing appropriate fisheries management and monitoring at Natura 2000 sites requires a certain number of dedicated staff, currently between two and three.

Legal framework for fisheries management

Freshwater fisheries is conducted on the basis of the **Freshwater Fishery Act**.³⁵ For the purposes of fish management, Slovenia is divided into 12 fisheries zones, which are subdivided into 67 fisheries districts³⁶.

Policy planning in freshwater fisheries is done on four levels. The overarching program for freshwater fish management is the *Programme for the management of fish in fresh waters*³⁷, which defines the

³⁴ Zakon o divjadi in lovstvu (Uradni list RS, št. 16/04, 120/06 – odl. US, 17/08 in 46/14 – ZON-C). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3780>

³⁵ Zakon o sladkovodnem ribištvu (Uradni list RS, št. 61/06). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3600>

³⁶ Uredba o določitvi meja ribiških območij in ribiških okolišev v Republiki Sloveniji (Uradni list RS, št. 52/07). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED4348>

long-term guidelines for management of fish on a national level, determines the objectives, tasks and measures, and defines the necessary public financial resources. A special chapter of the programme is providing measures for preserving the favourable status of endangered fish in accordance with regulations on nature conservation. The programme is prepared by the FRIS and on the proposal of the Minister for agriculture, forestry and food adopted by the government for a period of 12 years.

The second-level plans are the **Fishery management plans for fishing zones**³⁸, which in more detail provide guidelines for the management of fish. These plans, one for each of the 12 fishing zones, are prepared by FRIS. They are prepared for a period of six years and adopted by the Minister, responsible for agriculture, forestry and food. On this basis FRIS is preparing 64 **Fishery and farming management plans**, which in more details determine: areas which are protected according to the nature conservation regulations, organization of the fishing sections and their intended use, fish stocking, sustainable fish breeding, and breeding of fish under controlled conditions in fish farms, fishing regimes and some other relevant topics.

The most detailed level of management planning in fisheries are the **Annual fishing plans**, which define the fish breeding plan for each year. These plans are prepared by the providers of fishing management and approved by FRIS.

In principle, conservation goals and measures for Natura 2000 species and habitat types, which are set out by PUN, are in more details elaborated in the nature protection guidelines for the **Fishery and farming management plans**. However, in the period of PUN 2007-2013, there were many delays in adopting fisheries policy plans, which influenced the effectiveness of implementation of fisheries-related measures in the field.

In the current financial perspective, measures foreseen under the European Maritime and Fisheries Fund (EMFF) are also prepared in a way to contribute positively towards protection of nature at sea, as there are several measures directly linked towards implementation of the Nature Directives.

For marine fisheries, the overarching act is the **Marine Fisheries Act**³⁹. The short term policy planning document for marine fisheries was a **Management plan for marine fisheries in water under the sovereignty or jurisdiction of the Republic of Slovenia**⁴⁰, adopted in 2011. This document does not contain any reference to Natura 2000 network. The EU has an exclusive competence in the area of the conservation of marine biological resources under the common fisheries policy (Article 3 of Treaty on the Functioning of the EU, TFEU). National planning in marine fisheries is prepared in accordance with the EU legislation and in preparation of national fisheries plans and programmes conservation measures are considered especially when they are foreseen in the EU legislation. For example European Maritime and Fisheries Fund – Operational Programme for Slovenia includes nature conservation measures under measures for protection of biodiversity and marine environment.

³⁷ Program upravljanja rib v celinskih vodah Republike Slovenije za obdobje do leta 2021. Available at: http://www.mkgp.gov.si/fileadmin/mkgp.gov.si/pageuploads/podrocja/Ribistvo/Program_upravljanja_rib_v_celinskih_vodah_v_RS_za_obdobje_do_leta_2021.pdf

³⁸ Current plans are available at: http://www.mkgp.gov.si/si/delovna_podrocja/ribistvo/nacrti_in_programi/2017_2022_celinske_vode/

³⁹ Zakon o morskem ribištvu (Uradni list RS, št. 115/06, 76/15 in 69/17). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4367>

⁴⁰ Program upravljanja z morskim ribištvom v vodah pod suverenostjo ali jurisdikcijo Republike Slovenije. Available at: http://www.mkgp.gov.si/fileadmin/mkgp.gov.si/pageuploads/podrocja/Ribistvo/program_upravljanja_ribistva_pop.pdf

2.2.5 Agriculture

Institutional framework in the field of agriculture

Agriculture is under the competence of the **Agriculture Directorate** in the **Ministry of Agriculture, Forestry and Food**. Within this directorate, sectors for Agriculture Markets Division and Rural Development Division are the most relevant for the management of Natura 2000.

The **Agency of the Republic of Slovenia for Agricultural Markets and Rural Development** is a body within the Ministry of Agriculture, Forestry and Food of the Republic of Slovenia. The Agency has a role of the only accredited paying agency in Slovenia for the allocation of Common Agricultural Policy (CAP) funds in the field of agriculture, food-processing industry and rural development.

Chamber of Agriculture and Forestry of Slovenia is a non-governmental umbrella interest organization of natural and legal persons in the Republic of Slovenia engaged in agriculture, forestry and fishery. Its central task is to protect and represent their interests, to consult them and accelerate economical and environmentally friendly activities. However, this organisation is, as a public service, also performing agriculture advisory services. They have an important advisory role in the process of farmland owners entering into schemes of agri-environmental payments.

Legal framework in the field of agriculture

Strategic long-term orientations for the agricultural sector in Slovenia are presented in the Resolution on **Strategic Directions for the Development of Slovene Agriculture and Food Industry by 2020**⁴¹ (hereinafter: Resolution) and the **Strategy for the implementation of the resolution on strategic orientations for the development of Slovenian agriculture and food production by 2020** (hereinafter: Strategy) adopted by the government in 2014⁴².

When preparing the Resolution, the Ministry of agriculture, forestry and food did not invite IRSCN to submit nature protection guidelines, but IRSCN was later included in the strategic environmental assessment procedure for the preparation of this Strategy which defined strategic orientations of agriculture by 2020 (including measures under the direct payments and measures under the RDP 2014-2020), but not invited later to the preparation of nature protection guidelines or similar documents. IRSCN proposed that environmental impact assessment should be undertaken for measures from the Strategy when these would become operational as some of the proposed measures in the Strategy could have negative effects on Natura 2000 sites.⁴³

The agriculture and food strategy is implemented through the measures of the Common Agricultural Policy, namely of direct payments, regulated at EU level by Regulations, and national **Rural Development Programme 2014-2020** (RDP 2014-2020)⁴⁴. This programme is the most important operational document for the agricultural sector, outlining directions in the field of nature protection that could be considered in the planning processes at the Ministry responsible for agriculture.

⁴¹ Resolucija o strateških usmeritvah razvoja slovenskega kmetijstva in živilstva do leta 2020 – »Zagotovimo.si hrano za jutri«. Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=RESO80>

⁴² Strategija za izvajanje resolucije o Strateških usmeritvah razvoja slovenskega kmetijstva in živilstva do leta 2020. Available at: http://www.mkgp.gov.si/fileadmin/mkgp.gov.si/pageuploads/podrocja/SKP/STRATEGIJA_12_6_2014.pdf

⁴³ Računsko sodišče, 2017. Revizijsko poročilo: Ravnanje z varstvenimi območji natura 2000. Available at: [http://www.rs-rs.si/rsrcs/rsrs.nsf/1/KD8FFB63593DEF61AC12581B6004595C4/\\$file/Natura2000.pdf](http://www.rs-rs.si/rsrcs/rsrs.nsf/1/KD8FFB63593DEF61AC12581B6004595C4/$file/Natura2000.pdf)

⁴⁴ Program razvoja podeželja 2014-2020: Available at: https://www.program-podezelja.si/images/SPLETNA_STRAN_PRP_NOVA/1_PRP_2014-2020/1_1_Kaj_je_program_razvoja_pode%25%BEelja/3_sprememba_PRP/Tretja_sprememba_PRP_Programme_2014SI06RDN_P001_5_1_sl.pdf

The strategic environmental assessment was also undertaken for RDP 2014-2020 where potential impacts to the environment and Natura 2000 sites (intensification on one hand, abandonment on the other) in particular have been evaluated. IRSCN was involved in this process.

Contrary to the other sectors, the agricultural sector in Slovenia does not have a spatially defined policy planning. Therefore, there is no possibility to transpose the conservation goals and measures of PUN to the adequate planning document of the agricultural sector. Farming practices of landowners can be influenced through mechanisms of the Common Agricultural Policy, in particular through measures related to rural development. However, it needs to be stressed that agricultural holders are entering the agri-environmental schemes **on a voluntary basis**. Therefore, this approach is highly dependent on the successful promotion of biodiversity-friendly agri-environmental measures. Further in this chapter we provide data showing that for the financial period 2007-2013 this approach did not prove to be efficient and is probably one of the reasons for the declining status of some of the open-landscape species and habitat types.

As the Slovenian Court of Auditors concluded in their recent review, MOE and IRSNC were mainly effectively involved and cooperated with the institutions responsible for implementing the measures. In the report, the Court pointed out some of the problems concerning **insufficient cooperation between the agricultural and environmental sectors**. These include the absence of invitations for IRSCN to provide opinion on key strategic and planning documents and delays in preparation of these essential documents.⁴⁵

More critical to the agricultural policy in Slovenia are NGOs, which in their response to the Fitness Check questionnaire wrote: *»In Slovenia, the agricultural policy largely ignore the nature directives... In the last decade, we are facing the large decline of species dependant on agricultural landscapes. The most severe is the state of grassland birds and butterflies. This is a consequence of agricultural intensification supported by CAP. The situation is not better even on agricultural land within Natura 2000 sites. Thanks to the EU nature directives some improvements were made in new RDP 2014-2020 and some nature reserves were established, but we are afraid that this is not enough not even to slow down the rapid decline of grassland species. We believe a major revision of agriculture financing from EU budget has to be done. After intensive involvement in recent RDP preparation, Slovenian NGOs do not believe there is any realistic possibility to expect that CAP funds as long as they are controlled by agricultural Ministry and agricultural lobbies could make a significant contribution to biodiversity conservation. The only way probably is to take a significant proportion of the CAP funds out of control of the agriculture and use it to form a new comprehensive fund for biodiversity conservation in agricultural landscapes that would be under control of national nature conservation services«⁴⁶.*

2.2.6 Water management

Institutional framework for water management

The **Ministry of the Environment and Spatial Planning** also has responsibility for the subject of water protection, use and water regulation.

⁴⁵ Računsko sodišče, 2017. Revizijsko poročilo: Ravnanje z varstvenimi območji natura 2000. Available at: [http://www.rs-rs.si/rsrs/rsrs.nsf/1/KD8FFB63593DEF61AC12581B6004595C4/\\$file/Natura2000.pdf](http://www.rs-rs.si/rsrs/rsrs.nsf/1/KD8FFB63593DEF61AC12581B6004595C4/$file/Natura2000.pdf)

⁴⁶ Evidence Gathering Questionnaire for the Fitness Check of the Nature Directives, replies from Slovenian Ministry of the Environment and Spatial Planning, 18.3.2015. Available at: http://ec.europa.eu/environment/nature/legislation/fitness_check/evidence_gathering/docs/Member%20State%20Stakeholder/Nature%20Protection%20Authorities/SI/MS%20-%20SI%20-%20NPA%20-%20EGQ.pdf

In the area of water protection, the MOE prepares and ensures the preparation and implementation of programming documents for the achievement of goals of the Water Framework Directive (Directive 2000/60/EC), the Bathing Water Directive (2006/7/EC, 76/160/EEC) and the Marine Strategy Framework Directive (2008/56/EC) and the preparation and implementation of legal acts concerning protection areas as regards the Water Act: water protection areas, bathing water protection areas. In the field of the provision of the use of water it handles initiatives for the obtaining of rights to water on the basis of concession.

In the field of water regulation, it is responsible for the preparation of a detailed plan for the reduction of flood hazards in compliance with the Flood Directive (Directive 2007/60/EC). **Slovenian Water Agency** is a new body within the Ministry of the Environment and Spatial Planning, which started to operate in 2015. It combines the implementation of professional, administrative and development tasks, which were carried out by the Institute for Water of the Republic of Slovenia, Slovenian Environment Agency or the Ministry of the Environment and Spatial Planning.

The system of integrated water management is organized and staffed at national level and by river basins at regional level. A part of Slovenian Water Agency is organized in eight regional units. Slovenian Water Agency also provides opportunities for effective public service, investment management and cooperation with the profession and stakeholders.

The competence of the Slovenian Water Agency includes the granting of water rights by water permit, the issue of water consents, the management of water and coastal land owned by the Republic of Slovenia.

Legal framework for water management

Water management planning in Slovenia is based on the long-term orientations, which are determined by the two river basin management plans, one for the Danube and the other one for the Adriatic Sea basin. In 2016, Slovenia adopted the ***River basin management plans for the Danube Basin and the Adriatic Sea Basin for the period 2016–2021***⁴⁷ (RBMP or NUV) and the Programme of measures to achieve the good status of water bodies under the Water Framework Directive. Similarly, for the marine environment, the government has in 2017 adopted the ***Marine environment management plan***⁴⁸ (NUMO) to reach the goals set under the Marine Strategy Framework Directive. Its objective is to conserve marine ecosystems and achieve good marine environment status by 2020.

Water Framework Directive brought a new ecosystem approach to water management. Measures to achieve good ecological status or potential of waters according to this directive and measures to achieve good environmental status of marine waters, according to Marine Strategy Framework Directive, contribute to the conservation of species and habitat types in relevant Natura 2000 sites as well. At the same time measures brought by PUN must contribute to the objectives of the above mentioned Directives.

Basic strategic document for flood prevention is the Flood Risk Management Plan 2017 – 2021 (NZPO), adopted in 2017. It foresees a number of structural and non-structural measures and projects to reduce flood risk at most floods-endangered river basins in Slovenia and represents the implementation of Floods Directive obligations.

⁴⁷ Uredba o načrtih upravljanja voda na vodnih območjih Donave in Jadranskega morja (Uradni list RS, št. 67/16. Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED6964>

⁴⁸ Uredba o načrtu upravljanja z morskim okoljem (Uradni list RS, št. 41/17). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED6974>

NUV, NUMO in NZPO were all subject to the SEA procedure and the appropriate assessment and have adapted planned measures to avoid significant negative impact on Natura 2000 species and habitat types.

River engineering activities are part of public service activities and include four main tasks: 1) preservation and regulation of water, 2) protection from harmful effect of water, 3) maintenance of water and riparian zone and 4) preservation of hydromorphological status of water. These tasks are specified in annual programmes of mandatory state public utility services in the field of water management hereinafter referred to as "annual river engineering programmes". They are granted to the companies with a relevant reference, which then perform river engineering activities on the basis of annual river engineering programmes. At the moment, there are 5 state-level organisations performing public service of river engineering.

Detailed conservation objectives for Natura 2000 species and habitat types and measures to achieve them, related to waters are set by PUN as explained in chapter 2.3.6. Conservation of Natura 2000 species and habitat types is ensured through the SEA/EIA/AA procedure of RBMPs and its Programme of water management measures or other programmes related to water management (e.g. annual programmes of mandatory state public utility services in the field of water management) and by obtaining nature protection guidelines prepared by IRSNC, which take into account PUN measures. PUN measures are carried out through different projects.

For particular projects or particular works, originating from annual river engineering programmes, nature conservation guidelines are obtained according to the regulations on nature conservation in case of works in areas of special importance for valuable natural features, endangered and protected plant and animal species or habitats.

In their review, Slovenian Court of Auditors concluded that IRSNC was adequately involved in the preparation of the river basin management plans through the procedure of strategic environmental assessment. The Court also concluded that IRSCN is properly included in the preparation of annual river engineering programmes (although not in the first half of 2015 due to administrative reasons).⁴⁹

The Court of Auditors recommend that submitting an application for nature conservation guidelines for the annual river engineering programmes to the IRSCN should be done before the beginning of the year, for which these programmes are prepared, so that nature protection guidelines will be received in the timely manner.

In the field of river engineering in Slovenia, **medium-term planning is not yet established**. IRSNC recommended to MOE that more detailed river engineering programmes for eight river basins should be adopted taking into account the guidelines for the overall management of the river basins. In addition, IRSNC recommended that six-year programmes for the maintenance of water infrastructure and investments should be developed, taking into account specific conservation objectives and measures. These proposals were taken into account in the preparation of RBMP and its Programme of water management measures by adding a specific measure on preparation of the medium-term river engineering plans.

Actions needed to prevent natural disasters are regulated in the Act on protection against natural and other disasters.

⁴⁹ Računsko sodišče, 2017. Revizijsko poročilo: Ravnanje z varstvenimi območji natura 2000. Available at: [http://www.rs-rs.si/rsrs/rsrs.nsf/1/KD8FFB63593DEF61AC12581B6004595C4/\\$file/Natura2000.pdf](http://www.rs-rs.si/rsrs/rsrs.nsf/1/KD8FFB63593DEF61AC12581B6004595C4/$file/Natura2000.pdf)

2.2.7 Spatial planning

The ***Strategy of spatial development of Slovenia***⁵⁰, adopted in 2004, is the key strategic document for the spatial planning sector. A new strategy is currently under development and IRSCN is included in the process of its preparation and adoption (expected in spring 2018), and also in the strategic environmental assessment of this policy document.

Basic documents in this sector are the state spatial documents, local spatial plans and detailed local spatial plans and together with other (older) plans form the backbone of the spatial planning system in Slovenia.

The inclusion of the requirements arising from the PUN into various spatial planning documents is secured through the preparation of the nature protection guidelines, prepared by IRSCN. In drawing-up of any plan, spatial or one for use of natural resources, nature protection guidelines have to be obtained. Their role is to guide the preparation of the plan in such way that it has as little negative impact on nature conservation areas as possible. Guidelines contain recommendations, conditions and guidelines for protection of natural valuable features and biodiversity. In the process of their preparation, Natura 2000 management programme is used as a basis for guidelines for Natura 2000 sites in a way that conservation objectives and measures from the programme are formulated in a precise way suitable to the level and contents of the plan.

Nature protection guidelines serve also as a basis for appropriate assessment, to help it focus on important issues and to draw up appropriate mitigation measures.

As a principle, plans for activities in Natura 2000 sites are planned in a way that their impact on Natura 2000 areas should be minimised. In addition, rehabilitation projects for degraded natural areas are also part of the spatial planning measures.

In their review, the Court of Auditors concluded that IRSCN was included in the preparation of the spatial plans on all levels and in the permitting procedures. For example, in 2015 and 2016 IRSCN prepared no less than **6.144 nature protection guidelines** for the above mentioned spatial documents and opinions for permitting. It is important also to note that IRSCN is involved in field inspections with planning authorities and other stakeholders to evaluate the potential impact of the planned activities on Natura 2000 sites. Based on the above, the Court of Auditors concludes that inclusion of IRSCN in the process of spatial planning documentation was appropriate.

IRSCN⁵¹, however, outlined some **key shortcomings of the spatial planning process in Slovenia** which have potentially negative impacts on Natura 2000 sites: absence of regional spatial planning process (there are currently 212 local communities in Slovenia), ignorance of legal procedures in the process of preparation of plans and by investors and the lack of adequate data for preparation of different environmental reports.

⁵⁰ Strategija prostorskega razvoja Slovenije, 2004. Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=STRA12>

⁵¹ Računsko sodišče, 2017. Revizijsko poročilo: Ravnanje z varstvenimi območji natura 2000. Available at: [http://www.rs-rs.si/rsrs/rsrs.nsf/I/KD8FFB63593DEF61AC12581B6004595C4/\\$file/Natura2000.pdf](http://www.rs-rs.si/rsrs/rsrs.nsf/I/KD8FFB63593DEF61AC12581B6004595C4/$file/Natura2000.pdf)

2.2.8 Other issues related to governance

Involvement of non-governmental organisations

Two legal acts contain provisions for granting non-governmental organisations status of an organisation working in public interest. Societies, private institutes and foundations can receive the status of working in public interest of environmental protection (including nature conservation) on the basis of the Environmental protection act⁵² (Articles 152-153). In December 2017, 29 NGOs had this status⁵³.

Societies (but not public institutes and foundations) can also be awarded a status of NGO working in public interest of nature conservation on the basis of the Nature conservation act (Articles 137 and 138)⁵⁴. In December 2017, 39 NGOs had status according to this act (some have status according to both acts)⁵⁵.

For the status to be awarded, NGOs need to demonstrate that their work is contributing to the environmental protection or nature conservation and that they are exercising an active role in conservation, promotion of nature protection or disseminating its expertise on the wider appreciation of conservation through education and raising awareness.

There are several NGOs, representing a large number of landowners and other stakeholders. In the field of conservation of large carnivores, the Hunting Association of Slovenia is active and they were partners in several LIFE projects. The Angling Association of Slovenia is engaged in the conservation of protected fish and freshwater species and the Alpine Association of Slovenia in awareness raising. The Chamber of Agriculture and Forestry of Slovenia plays a significant role, both as the NGO voicing the interests of landowners and also as partner in LIFE projects.

In the recent years, there were several cases where NGOs have been seeking justice at the administrative court due to various governmental institutions obstructing their right to become third-party participants in procedures of adopting administrative decisions or in the process of strategic impact assessments. In several court cases, the Administrative Court has adhered to NGOs.

2.2.9 Cross-border cooperation

Workshops and roundtables on the management of cross-border Natura 2000 sites were done as part of the LIFE project *Operativni program upravljanja z območji Natura 2000 v Sloveniji 2014-2020 SI-Natura2000 Upravljanje* (LIFE11 NAT/SI/880) and took place with Hungary (Őriszentpéter; Csopak), Croatia (Zagreb), Austria (Borovlje/Ferlach and Apače) and Italy (Pušja vas/Venzone). More than 170 participants from public and business sector and NGOs attended the events. Management experience in different sectors (forestry and hunting, agriculture and water management) and in different areas (coastal and marine areas, wetlands and caves) and examples of good practice were presented and shared.

In recent years there were few cross-border issues which can be mentioned and these include:

⁵² Zakon o varstvu okolja (Uradni list RS, št. 39/06 – uradno prečiščeno besedilo, 49/06 – ZMetD, 66/06 – odl. US, 33/07 – ZPNačrt, 57/08 – ZFO-1A, 70/08, 108/09, 108/09 – ZPNačrt-A, 48/12, 57/12, 92/13, 56/15, 102/15, 30/16 in 61/17 – GZ). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1545>

⁵³ Available at: http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/nevladne_organizacije/nvo_okolje.xls

⁵⁴ Zakon o ohranjanju narave (Uradni list RS, št. 96/04 – uradno prečiščeno besedilo, 61/06 – ZDru-1, 8/10 – ZSKZ-B in 46/14). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1600>

⁵⁵ Available at: http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/nevladne_organizacije/nvo_ohranjanje_narave.xls

- designation of marine SCIs in the Gulf of Trieste for the populations of the bottlenose dolphin with Italy and Croatia, where joint approach is needed,
- potential designation of marine SPAs for the Mediterranean Shag *Phalacrocorax aristotelis* as a follow up of LIFE SIMARINE project where again a joint approach with Italy is needed,
- joint management of Natura 2000 sites on the border with Croatia or how to manage the areas on both sides of the river banks if just one side of the river is part of the Natura 2000 network – the example of Bregana creek or Kolpa river where just one side is designated – available mechanisms need to be ensured for joint management through consultation, common management scheme, etc.
- the issue of the razor-wire fence on the Slovenian-Croatian border where in 2015, barb-wire fences were set up along the sections of inland border with Croatia to prevent uncontrolled flows of migrants. Barb-wire fence was soon considered to be inappropriate, so the government decided to gradually replace wire fences with so-called »panel fence« and security fences. At least 6 reports of dead or injured animals were reported in the year 2015 due to collisions with the wire fences. However, the main problem of fencing for animals, including in parts of the Natura 2000 sites, is the prevention of connectivity and migration routes of protected large carnivores⁵⁶. In 2017, the government decided to continue with setting up fence line along the border with Croatia. To minimise its impact on mammals, especially large carnivores, Slovenian Forestry Service in cooperation with hunting organisations and other experts then checked the whole fence line. They identified their migration routes and made a plan of openings in the fence to enable adequate mammal migration⁵⁷ (document available only on request at the Ministry of Interior).

2.3 Natura 2000 management

In this chapter, we provide information which enables the assessment of the effectiveness of implementation of Natura 2000 management and discuss the possible improvements. As already mentioned in previous chapters, the Slovenian Court of Auditors reviewed implementation of Natura 2000 network in the years 2015-2016 and published a report *Handling the Natura 2000 Network*⁵⁸, that includes its opinion and recommendations, also on the cooperation among sectors at the national level.

2.3.1 Nature conservation measures

Protection and temporary protection

At this moment, national **protected areas in Slovenia are covering 13,91%** of the national territory (281.766,47 ha⁵⁹). **National protected areas are established on 29% of the Natura 2000 network⁶⁰**. In 2008, 78 % of surface of all national protected areas overlapped with Natura 2000 sites⁶¹ and in 2018

⁵⁶ <http://journals.plos.org/plosbiology/article?id=10.1371/journal.pbio.1002483>

⁵⁷ Ocena vplivov na okolje ob postavitvi začasnih tehničnih ovir na meji med R Slovenijo in R Hrvaško ter predvideni omilitveni ukrepi, Zavod za gozdove Slovenije, Zavod RS za varstvo narave, sept. 2017.

⁵⁸ <http://www.rs-rs.si/rsrs/rsrs.nsf/I/OD326233F5837F07C1257FE10023BC10>

⁵⁹ Slovenian Environment Agency, Environmental indicators, NV02 Protected areas, status of 2016, we have added the surface of 55 ha of the new nature reserve, established in 2017.

⁶⁰ Comparison of Natura 2000 areas in Slovenia among years 2004, 2013 and 2016 (status on 17.3.2016), in Slovenian. Available at: http://www.natura2000.si/fileadmin/user_upload/Primerjava_N2K_2004_2016_20160725_MOP.pdf

⁶¹ Slovenian Environment Agency, Environmental indicators, http://kazalci.arso.gov.si/?data=indicator&ind_id=6

due to establishment of some new protected areas the overlap amounts to 81% of surface of the national protected areas⁶².

In the whole national protected area system, there are **48** larger protected areas (1 national park, 3 regional parks and 44 landscape parks) and **1220** small protected areas (1 strict nature reserve, 56 nature reserves and 1,164 natural monuments). The state has so far established **13** larger and **146** smaller protected areas (1 large protected area and 3 small protected areas in partnership between municipalities and the state). Of those, the state has established a **dedicated management authority for seven larger protected areas⁶³** and for **one larger protected area and one nature reserve it has awarded a concession**. Nature conservation activities in these areas are at least partially financed by the state, the share of the state budget in protected area management financing was from 50 to 85% according to data in 2015⁶⁴. Other incomes for protected area management come from visitor fees, projects and selling of goods and services. All other protected areas were established by municipalities, most several decades ago and **their acts of the establishment are outdated** and not even in line with the current legislation. Except in a few cases, the **municipal protected areas do not have management authorities**, and there are no long-term conservation programmes in place.

In those national protected areas which do have dedicated management authorities there seems to be a **deficit in management planning**. According to PUN 2007-2013, nine management plans should have been prepared in that period and eight adopted. The analysis made by MOE in 2015 has shown that **only one management plan was adopted in due time and one with a 4-year delay**. Seven management plans were in various stages of preparation at the end of the programming period, but not yet adopted. One management plan was not prepared because even the protected area itself was not established⁶⁵. Since then (four years later) only one more management plan was adopted⁶⁶, all others are still in preparation. Out of 9 nationally designated protected areas, 4 have valid management plans in operation, and 4 management plans are in preparation. Currently, areas with adopted management plans cover 50% of nationally designated surface. Development of management plans is slow, for some taking now almost a decade. According to the analysis made by MOE, the main reasons for failing to adopt management plans in time was that these are extensive documents and that there was a **lack of human resources** in park authorities and in the ministry⁶⁷. In the new PUN 2015-2020, management plans are mentioned for only two protected areas, while for other areas the achieving of Natura 2000 objectives is not based on protected areas management plans.

MOE requires from all managers of protected areas to plan measures set by PUN strictly and this is their responsibility in the annual programmes of work. They also have to report on their implementation in the annual reports. In the mid-term evaluation of the PUN implementation, which is being prepared, special attention will be paid to the PUN measures in protected areas.

In PUN 2007-2013, there was a **plan to establish five new large protected areas** and for some of them even draft acts of the establishment have already been prepared. According to the ministry, the

⁶² Slovenian Environment Agency, information by e-mail on 20 February 2018.

⁶³ Some smaller protected areas are within wider protected areas, so they have management.

⁶⁴ Ministry of the Environment and Spatial Planning, 2017, interno gradivo: Končno poročilo projekta: »Preveritev možnosti za racionalizacijo upravljanja zavarovanih območij«.

⁶⁵ Bibič, A. & G. Danev, 2013. Analiza ciljev in ukrepov programa upravljanja območij Natura 2000, Analiza horizontalnih ukrepov varstva narave in prilog 4.4, 4.5, 4.6 in 4.7, Verzija: 2.0. Projekt: SI NATURA 2000 MANAGEMENT, LIFE11/NAT/SI/880. Available at: http://www.natura2000.si/fileadmin/user_upload/LIFE_Upravljanje/A1_A2_Krovni.pdf

⁶⁶ for Triglav National Park. Uredba o Načrtu upravljanja Triglavskega narodnega parka za obdobje 2016–2025 (Uradni list RS, št. 34/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED6942>

⁶⁷ Bibič & Danev, 2013

processes was stopped due to the financial situation in the country and in some areas due to conflicting opinions among local stakeholders⁶⁸. Also, the National Environmental program 2005-2012, the part of which is also the **National Nature Protection Program**, set an ambitious goal that **by 2008 national protected areas would cover 17% and by 2014, 22% of the national territory**⁶⁹. **This goal has not been met as even by the end of 2017 the surface did not reach 14%**. After 2012, almost all initiatives for expansion ended up stagnating. While in the analysis of PUN 2007-2013, the proposal was to continue and finalize the establishment of national protected areas⁷⁰, these measures were not included in the current PUN 2015-2020. The measure of establishing a national protected area is set for only three Natura 2000 sites, one of which was indeed protected in 2017⁷¹. All three planned areas are very small and will not significantly contribute to the expansion of the protected areas system.

The fact that **continuation of the process of establishing new national protected areas** is not the main priority is also reflected in the draft proposal of the new National Environmental Protection program 2030, including the national **Nature Protection Programme**, which was in 2017 opened for public discussion⁷². In this draft, the only action in relation to new designations of protected areas is to prepare a plan for expansion of the protected area system for the nature conservation priority areas, but no measurable goals are set. The priority concerning the nationally designated protected areas is set for improvement of the management effectiveness, especially related to the achievement of nature conservation goals. In the last version prepared after the public consultation of the national Nature Protection Programme in January 2017, 5 areas were proposed for the establishment of protected areas, that would represent increase in 2% of the national surface. All proposed areas for protection are part of the Natura 2000 network.⁷³ Another problem in (mainly large) protected areas is the hierarchy of the various legislative bases. It is often the case that the legislation from other sectors than environment (agriculture, forestry, other uses of natural resources) is uncoordinated or contrary to the legal act by which the protected area has been established. In the Sečovlje Salina Landscape park, for example, established on the basis of the nature protection legislation, visits should be strictly limited or even not allowed as the area of the salt production is regulated by the legislation on mining, which do not allow movements of visitors without special control measures. In other protected areas, mainly landscape and regional parks, where the primary management goal is based on continuation of the long lasting cooperation between man and nature, modern agricultural practices, which are allowed by agriculture sectoral policies, might be in contradiction to the conservation goals; an example of this would be modern practices for mowing of grasslands or collection of hay.

Other factors, for example staffing capacities of the management authority, the size of the protected area, and other specific features of protected areas including land ownership, number of residents, the interest of other public services for cooperation and the availability of financial resources all influence the implementation of the necessary conservation measures and the process of reaching the favourable conservation status in Natura 2000 sites within the national protected areas.

One of the mechanisms for the involvement of the MOE in the achievement of the conservation objectives for Natura 2000 sites within the national protected areas is **the management plan for the protected area**. At the moment, three large protected areas have approved management plans. **Detailed conservation measures for Natura 2000 sites are set in the PUN**, while description of their

⁷³ Ministry of the Environment and Spatial Planning, 2018, interno gradivo.

implementation together with financial part is outlined in the yearly workplan of each protected area (incl. those without a management plan).

Contractual protection and stewardship

The legal basis for contractual protection and stewardship is provided in the Nature Conservation Act. In the case of contractual protection, the contract for ensuring the protection of a valuable natural feature is made with the landowner. In case the contracting party is not the owner of the valuable natural feature, the contract on stewardship can be concluded with a natural or legal person, usually selected through a public tender⁷⁴.

In PUN 2007-2013, this measure was planned for reaching the conservation goals in caves and for securing favourable conservation status of species and habitats which have demands that cannot be met through the agri-environmental measures.

As the analysis of the implementation of PUN 2007-2013 by MOE and IRSNC⁷⁵ has shown, **the planned activities have practically not been implemented**. Contracts on stewardship in caves should have been prepared for at least 33 caves which are Natura 2000 sites. IRSNC has prepared proposals for 14 contracts and another 12 proposals for awarding concessions, but as the MOE/IRSNC report states, there is lack of clarity of the current legislation and no contracts have been awarded. Some of the stewardship tasks are nevertheless carried out by some caving societies working in the public interest of nature conservation.

We could not find any evidence that so far any stewardship had been awarded. On the other hand, there is an urgent need to improve the protection of caves and cave animals, as in the last two years there are increasing reports on findings of illegal insect traps in caves⁷⁶.

PUN 2007-2013 also included a provision for contractual protection or stewardship in 60 other cases, of which 53 were outside of protected areas. For only four of these measures, IRSNC has elaborated relevant background documents, but even those did not lead to awarding contracts⁷⁷. Another set of contractual protection was planned on **3000 ha of agricultural land**, where the existing agri-environmental measures were considered insufficient for ensuring good conservation species and habitat types. Until 2015, contracts for protection were awarded for only 17 ha. The main reason for such low implementation was that the park authorities **did not have funds secured for this measure**⁷⁸. In the current PUN 2015-2020, this measure is proposed for some small-scale habitat types and several species of bats and butterflies and should be financed from the state budget.

Nature conservation projects, co-financed from EEA Financial Mechanism in the period 2015-2016⁷⁹, have increased the surface of area under contractual measures for few 10 ha, and priority nature

⁷⁴ Zakon o ohranjanju narave (Uradni list RS, št. 96/04 – uradno prečiščeno besedilo, 61/06 – ZDru-1, 8/10 – ZSKZ-B in 46/14). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1600>

⁷⁵ Bibič & Danev, 2013,

⁷⁶ MMC RTV SLO. Kdo po jamah nastavlja pasti redkim hroščem? Kaže, da tujci. (4.10.2017). Available at: <https://www.rtvsllo.si/okolje/narava/kdo-po-jamah-nastavlja-pasti-redkim-hroscem-kaze-da-tujci/434205>

⁷⁷ Bibič & Danev, 2013

⁷⁸ Bibič & Danev, 2013

⁷⁹ EEA Financial Mechanism Programme 2009–2014 for Slovenia included two programme areas that were relevant also for the Natura 2000 network : Biodiversity and Ecosystem Services with the objective “Halt loss of biodiversity and Conservation (2.030.508 EUR) and Revitalisation of Cultural and Natural Heritage with the objective “Cultural and natural heritage for future generations safe-guarded and conserved and made publicly accessible (1.271.248 EUR for natural heritage)”<http://www.norwaygrants.si/en/programmes/eea-grants/>, http://www.norwaygrants.si/wp-content/uploads/2016/05/Program-EGP_povzetek_slo.pdf, <http://www.norwaygrants.si/en/projects/programme-fm-egp-projects/>

conservation projects co-financed from ERDF (5 have already started, 8 additional should start in 2018) will increase this surface for several 100 ha.

Restrictions on viewing and visiting areas and restrictions on activities threatening protected animal species

Such limitations may be required if the presence of many visitors pose a risk to species and habitat types and could undermine the achievement of conservation goals. Implementation of this measure in PUN 2007-2013 was poor due to the fact that restriction should be implemented into the management plans of protected areas and most have not been prepared. The two which have been prepared in the period of PUN 2007-2013 and the management plan for Triglav national park adopted in 2016 have properly integrated these measures and they are being implemented.

Restoration

This type of measure was not specifically included in PUN 2007-2013. Some restoration activities in Natura 2000 took place in the framework of several LIFE projects which started in the previous financial perspective:

- Secovlje - Conservation of endangered species and habitats in the Secovlje salt-pans Park, LIFE03 NAT/SLO/000076
- AQUALUTRA - Conservation of otter population (*Lutra lutra*) in Goricko - phase 1, LIFE04 NAT/SI/000234
- Cerknisko Jezero - Intermittent Cerknica Lake, LIFE06 NAT/SI/000069
- BIOMURA - Conservation of biodiversity of the Mura river in Slovenia, LIFE06 NAT/SI/000066
- MANSALT - Man and Nature in Secovlje salt-pans, LIFE09 NAT/SI/000376
- WETMAN - Conservation and management of freshwater wetlands in Slovenia, LIFE09 NAT/SI/000374
- Ljubljanska connects - Restoration of the Ljubljanska River corridor and improvement of the river's flow regime, LIFE10 NAT/SI/000142
- LIVEDRAVA - Riparian Ecosystem Restoration of the Lower Drava River in Slovenia, LIFE11 NAT/SI/000882

In PUN 2015-2020, several restoration measures are planned, which are mainly supposed to be financed through project funding, so the exact way of implementation at this stage is unknown.

2.3.2 Measures in the forestry sector

The analysis of the implementation of measures in the forestry sector in PUN 2007-2013 has shown that on a planning level the system worked relatively well. The inclusion of Natura 2000 management measures through nature protection guidelines was done in accordance with PUN 2007-2013. In complex Natura 2000 areas with key importance for conservation of forests, they have additionally prepared **management zones**. However, while the policy planning went well on paper, it was assessed as **poor in practice**, or it was not possible to assess the effectiveness of measures due to **insufficient monitoring**. As the authors of the analysis concluded, the system of planning, implementation and financing of measures for achieving good conservation status of species is not yet entirely set up⁸⁰.

Several sources report that while the widespread forest habitat types are in the favourable conservation status, the small-scale habitat types, particularly in lowlands, are in the unfavourable conservation

⁸⁰ Bibič & Danev, 2013, page 24

status and pressures on these forests are increasing⁸¹. Status of many forest target species is poorly known, and for some species in certain areas, recent research shows a significant negative trend for specialised forest birds⁸².

With the new PUN 2015-2020, two new measures were introduced. These are smaller parcels set aside in the forest (so-called **eco-cells**). In some eco-cells (eco-cells with no interventions, in Slovenian *ekocelice brez ukrepanja*) parcels are entirely left to natural succession, leading to the increased amount of dead wood and benefiting in particular to some species of woodpeckers and beetles. In the other type of eco-cells (eco-cells with interventions, in Slovenian *ekocelice z ukrepanjem*), there is no forest exploitation, but some measures are carried out to support certain species (mainly for species of grouse, large carnivores) and small-scale forest habitat types. As this measure was included in the forestry legislation in 2009⁸³, it is now possible to finance it from the state budget.

In recent years, forests are under significant pressure. Following several natural disasters, logging has increased. The most recent forestry management plans 2011-2012 and the "Action plan to increase the competitiveness of forest-wood chain in Slovenia by the year 2020" adopted in 2012 have a plan to intensify forest extraction. The action plan includes several measures, including revitalisation of forests with planting, advocacy of the forestry sector to raise interest of forest owners for more intensive forest management and the construction of new forest roads for exploitation of wood in formerly closed forest areas (which was financed through the 1st pillar of Rural Development programme 2007–2013).

2.3.3 Measures in the hunting sector

PUN 2007-2013 included relatively few measures related to hunting. In the analysis of the implementation of PUN 2007-2013, hunting was not assessed⁸⁴, so there are no aggregated data which could be used to assess the efficiency of the proposed measures for the hunting sector.

In the last decade, sectoral planning of hunting has gone through frequent changes. Long-term plans for the 15 wider hunting management areas were prepared for the period 2001–2010. In 2007, the Minister of agriculture, forestry and food issued rules for plans to be adopted for the period 2007–2016, based on the provisions of new Wild Game and Hunting Act from 2004. The Act amending both the Wild Game and Hunting Act and The Forestry Act in 2008 also included new provisions. New, now joined forestry-hunting long-term plans for wider forestry and hunting management areas were produced for the new 10-year period from 2011 to 2020. They included detailed and specific PUN guidelines (gained from IRSCN) for sites, species and habitats. Operational - yearly hunting plans for management areas (15 of them) "per se" follow the rules of ten year plans in details and do not repeat the guidelines for sites, habitats and species conservation.

2.3.4 Measures in the fisheries sector

When PUN 2007-2013 was adopted, fisheries management was performed on the basis of **management plans for fishing districts 2006-2010**, which did not include all the necessary conservation measures for

⁸¹ See e.g. Kutnar, Lado, in Igor Dakskobler. 2014. Ocena stanja ohranjenosti gozdnih habitatnih tipov (Natura 2000) in gospodarjenje z njimi [Evaluation of the Conservation Status of Forest Habitat Types (Natura 2000) and Their Forest Management]. *Gozdarski vestnik* 72 (10). Available at: <https://www.dlib.si/stream/URN:NBN:SI:DOC-FKYOGNDZ/00149504-397c-482c-a575-eee442baa139/PDF>

⁸² Kotnik, Tina (ed). 2015. Analiza stanja gozdov na območju Natura 2000 Kočevsko. Ohranjanje območij Natura 2000 Kočevsko LIFE Kočevsko. Available at: http://life-kocevsko.eu/wp-content/uploads/2016/06/ANALIZA-STANJA-GOZDOV_LIFE-KO%4%8CEVSKO_final.pdf

⁸³ Rules on forest protection, Pravilnik o varstvu gozdov (Uradni list RS, št. 114/09 in 31/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV9492>

⁸⁴ Bibič & Danev, 2013

Natura 2000 species and habitats. It was expected that in 2010 the government would adopt a new **Programme for the management of fish**, the highest-level policy document for freshwater fisheries. The programme was prepared in due time, but due to the administrative complexity of the procedure, there was a delay in adopting the programme. Instead of adopting it in the year 2010, it **was only adopted at the end of 2015**⁸⁵. Because of this delay, also the lower level management planning could only be performed on the basis of the old management plans, and IRSNC could not formally, through nature conservation measures, propose to include more detailed guidance for Natura 2000 species and habitats⁸⁶.

The analysis of the effectiveness of implementation of measures related to fisheries, which were determined by PUN 2007-2013, has shown that despite the delay in fisheries management planning, **measures which were not requiring significant adaptations of fish management were reasonably well implemented**. On the other hand, measures **requiring significant changes in the fishing practices were not implemented**. Despite the complexity of fisheries management planning, there are still two freshwater ponds, Natura 2000 sites for water plants, where the state has awarded water rights to companies. In these cases, conservation measures can only be integrated into the concession contract⁸⁷.

In 2016, **Fishery management plans** for all 12 fishing districts were prepared and adopted in 2017⁸⁸. These documents include detailed conservation goals and measures for all target freshwater species. After the delay in implementation of measures in the period of PUN 2007-2013, it seems that on the planning level the situation is improving and the Natura 2000 conservation measures are transferred to the appropriate sectoral plans. However, it is too early to assess how effectively the planned activities are being implemented in the field.

2.3.5 Measures of modified agricultural practice

Agricultural land covers 33,5% of Slovenia and **26,4%** of agricultural land is included in the Natura 2000 network. Contrary to other sectors, the agricultural sector in Slovenia does not have a national policy planning. Agricultural holdings can decide to apply for the measures of agri-environmental payments (since 2014 called agri-environmental-climate payments, but for simplicity, we will refer to them as AEP). **This is done on a voluntary basis for the minimum period of five years**, but there is no guarantee that the management will stay the same in the long-term. By complying with AEP schemes, agricultural holdings commit themselves to adapt their practice so that impacts to the environment are reduced. Payments are compensating for the lower yield or increased amount of work. Some (but not all) agri-environmental measures are prescribing adaptations in farming, which benefit species (e.g. late mowing, reduced use of fertilizers, adaptations in pasturing). All AEP payments are processed through the **Agency of the Republic of Slovenia for Agricultural Markets and Rural Development**, which is responsible for the allocation of Common Agricultural Policy (CAP) funds in the field of agriculture, food-processing industry and rural development.

Period 2007-2013

Measures for achieving the good conservation status of species and habitat types, set out in PUN 2007-2013, were mostly relying on **including sufficient surfaces under the biodiversity-friendly agri-**

⁸⁵ Program upravljanja rib v celinskih vodah Republike Slovenije za obdobje do leta 2021:

https://www.zzrs.si/uploads/Program_upravljanja_rib_v_celinskih_vodah_v_RS_za_obdobje_doleta_2021.pdf

⁸⁶ Naglič, M. & S. Kaligarič, 2013. Analiza ciljev in ukrepov programa upravljanja območij Natura 2000. Sektor upravljanje z vodami in ribištvo. Available at: http://www.natura2000.si/fileadmin/user_upload/LIFE_Upravljanje/A1_A2_vode.pdf

⁸⁷ Ibid.

⁸⁸ Načrti ribiškega upravljanja 2017-2022 za ribolov v celinskih vodah za ribiška območja. Available at:

http://www.mkgp.gov.si/si/delovna_podrocja/ribistvo/nacrti_in_programi/2017_2022_celinske_vode/

environmental measures. These measures were integrated into the Rural Development Programme 2007-2013⁸⁹, financed through the European Agricultural Fund for Rural Development (EAFRD). PUN 2007-2013 set an ambitious goal that by the year 2013 almost **30.000 ha of land in Natura 2000 sites** would be included in at least one of the biodiversity-friendly agri-environmental measures⁹⁰. Goals related to agri-environmental measures were set for the majority of target species and habitats inhabiting farmland, which meant that the success of implementation of PUN 2007-2013 was heavily relying on achieving these targets.

During the development of PUN 2015-2020, MOE and IRSNC analysed the achievement of goals set out in PUN 2003-2007. The main conclusion of this analysis was that the actual commitment to the AEP measures was **much lower than expected**. By 2012, full target surfaces were achieved in **only 11 % of Natura 2000 sites** where these measures were planned.

In particular, measures with more restrictive conditions (very late mowing, no grazing) were **hardly used at all (Table 2)**.

Table 2. Surfaces under biodiversity agri-environmental schemes where relevant for the Natura 2000 Management Programme 2007-2013⁹¹.

Agri-environmental measure	Surface of Natura 2000 areas included in the agri-environmental measures			Achievement of the target surfaces (% and surface in ha)	
	Year 2006	Year 2010	Year 2012	Year 2010	Year 2012/2013
EKS	19.739 ha	15.089 ha	16.379 ha	75 %	65 %
ETA/VTR/HAB/STE	1.107 ha	960 ha	1.015 ha	45 %	27 %
MET/STE	737 ha	179 ha	260 ha	12 %	9 %
STE	23 ha	11 ha	0 ha	5 %	0 %

Abbreviations used: EKS – extensive use of grasslands, including mountain grazing, maintenance of uneven or sloping meadows, close-to-nature animal breeding and all other extensive management practices described further. ETA - Maintenance of extensive grasslands, VTR - Maintenance of grassland habitats for birds and wet meadow, HAB - Maintenance of special grassland habitats, STE - Fall mowing for butterflies, MET - Late mowing for butterflies

Further analysis has shown that not only the goals of target surface had only been achieved in very few sites, in fact in most areas they were very far from reaching the goals. In 2010 at least 60% of the goals were reached on only 16% of Natura 2000 sites and in 2012 on 18% of Natura 2000 sites (**Figure 1**).

The analysis of the achieved goals in relation to habitat types and taxonomic groups has revealed that in 2010 goals were achieved for 20% of habitat types, 13% of birds and 6% of butterflies. While in 2013, the percentage slightly increased for birds, it dropped for habitat types, because many contracts ended in 2012 and were not renewed (**Figure 2**).

⁸⁹ Žvikart, M. 2013. Analiza ciljev in ukrepov programa upravljanja območij Natura 2000, sektor kmetijstvo. Projekt: SI NATURA 2000 MANAGEMENT, LIFE11/NAT/SI/880. Available at:

http://www.natura2000.si/fileadmin/user_upload/LIFE_Upravljanje/A1_A2_Analiza_kmetijstvo.pdf

⁹⁰ Kus Veenvliet, J. (2012). Analiza doseganja ciljev Strategije ohranjanja biotske raznovrstnosti v Sloveniji [Analysis of achievement of the goals of the Slovenian Biodiversity strategy]. Končno poročilo. Nova vas: Zavod Symbiosis. Naročnik: Ministrstvo za okolje in prostor. Available at:

http://www.mko.gov.si/fileadmin/mko.gov.si/pageuploads/podrocja/narava/analiza_strategije_biotske_raznovrstnosti_porocilo.pdf

⁹¹ Žvikart, 2013

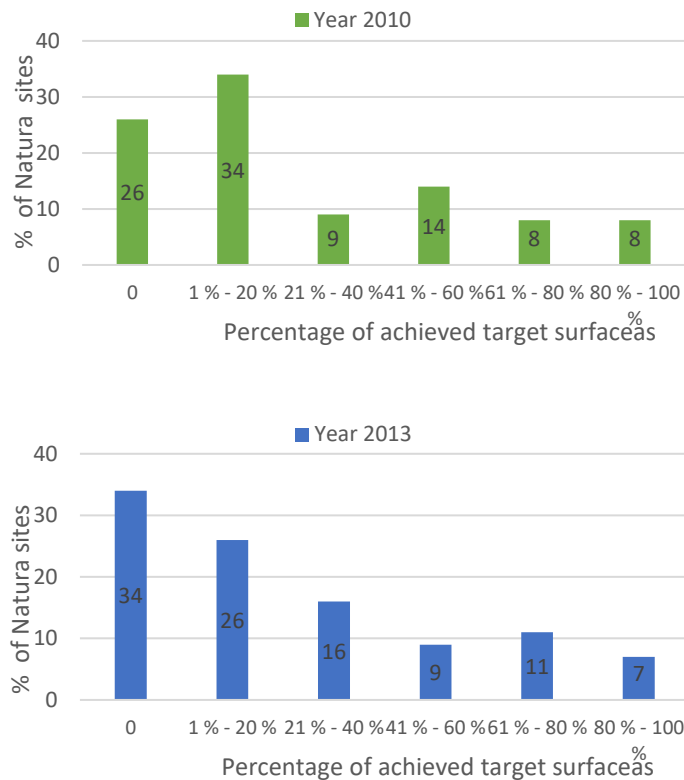


Figure 1. Percentages of Natura 2000 sites in which certain percentage of target surfaces was achieved for all taxonomic groups and habitat types in years 2010 and 2013. Data for 2010 and 2013 are shown on separate graphs because the target surface areas were not the same. Adapted after Žvikart, 2013.

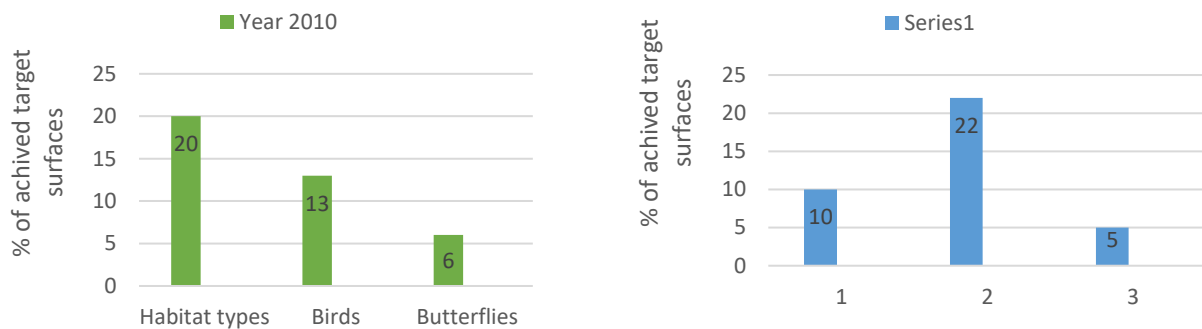


Figure 2. The percentage of the achieved target surfaces for habitat types, birds and butterflies. Because the target surfaces in 2010 and 2013 were different, data are shown on two graphs. Adapted after: Žvikart, 2013⁹²

The analysis of MOE and IRSNC identified as the main reasons for insufficient implementations of agri-environmental measures in PUN 2007-2013 the insufficient promotion of AEP with the farmers, attractiveness of less stringent measures or administrative issues. Based on this analysis the RDP 2014-2020 included improved or new measures, addressing most of these reasons.

⁹² Data on plants were omitted, because agri-environmental measures for plants were proposed only on two areas and have not been achieved in any year.

The important question is, how this low achievement of goals set in PUN 2007-2013 has reflected on the conservation status of species and habitat types. At the moment, systematic monitoring of habitat types in Natura 2000 sites is not yet set up in the country. There are only a few areas where habitat mapping has been repeated in the last few years so that trends could be evaluated. One of the indications for the habitat types can be changes in the land use in the period 2006-2010. As shown by the analysis of IRSNC, these trends show that there were significant changes in arable land in only a few years and that many of these changes make the achievement of the favourable status for some habitats and species difficult. There is a clear trend of conversion of meadows to arable fields. Furthermore, the surface of meadows has declined, partially due to urbanisation and partially because of vegetation succession and overgrowing due to the abandonment of mowing (**Table 3**)⁹³.

The decline of biodiversity in the agricultural landscape in Slovenia is continuing, despite the establishment of the Natura 2000 network and it seems that relying on only AEP measures is not effective. The following list of examples of habitat degradation and species decline are summarised from the data collected by a group of Slovenian environmental NGOs^{94,95}:

- The Slovenian farmland birds' index shows a decline for 21,9% in populations of farmland bird species between 2008 and 2014 and in the same period grassland birds have declined in Slovenia for 37,2%,
- Butterfly species *Phengaris teleius* and *P. nausithous* are declining across the whole country, a steep decline is noticed in Natura 2000 sites. In 7 years (2003-2010), 26% of the suitable habitat of these two species was destroyed in the SAC Slovenske gorice. In the Natura 2000 site Goričko, more than 8% of the previously suitable habitat of these two species was ploughed and converted to arable land between years 2002-2006. Changes in land-uses resulted in the decline of the population size of *P. teleius* in different sub-areas from 12% to 61%, and population size of *P. nausithous* declined for 73 % Natura 2000 area Volčkeke,
- Monitoring of the False Ringlet *Coenonympha oedippus* in the Natura 2000 area Ljubljansko barje demonstrates reduction of the breeding habitat by 86% and its population decline by 85%. The main reasons for the decline were ploughing and intensification of grasslands,
- The surface of karst grasslands in Natura 2000 site Kras decreased by 20,4% in ten years, mainly due to overgrowing,
- In parts of the Natura 2000 site Ljubljansko barje, the area of grasslands was reduced by 18,9% in ten years, while the surface of the fields, on the other hand, increased by 40,6%. The surface area of extensively farmed grasslands was reduced by 29,4%,
- In 2014, 76,3% of grasslands at Ljubljansko barje Natura 2000 were mown or heavily grazed before mid-July and thus not enabled *Crex crex* to breed successfully,
- In Goričko Landscape Park, land consolidation and amelioration (land reclamation) was implemented on 9,5% of the Natura 2000 area in the period of 8 years. These operations, largely financed from the EU RDP funds, were devastating for habitat structure and some species like the Scops Owl, *Otus scops*, the population dropped for almost 75%.

⁹³ Živkarič, 2013

⁹⁴ DOPPS, 2014. Evaluation study to support the Fitness Check of the Birds and Habitats Directives. Available at: http://ec.europa.eu/environment/nature/legislation/fitness_check/evidence_gathering/docs/Member%20State%20Stakeholders/Non-Governmental%20Organisations/SI/MS%20-%20SI%20-%20NGO%20-%20EGQ.pdf

⁹⁵ Some of these examples were mentioned in a complaint filed with the European Commission services in 2015 on the decline of grassland birds and butterfly species in several Natura 2000 sites.

Table 3. Trends in land use changes in Natura 2000 sites in the period 2006-2010⁹⁶.

	Year 2006	Year 2010	Trend	Area change ha/index of change between 2010 and 2006
Arable land	47.085 ha	48.005 ha	+	920 ha / 102
Meadows*	103.444 ha	96.745 ha	-	6.699 ha / 94
Meadow orchards**	2.674 ha	3.844 ha	+	1.170 ha / 144
Overgrowing	8.406 ha	10.536 ha	+	2.130 ha / 125

* Analyses for meadows does not include changes in the intensity of management of meadows. In some areas intensity of land-use management has recently increased.

** The increase is mainly due to the changes in the methodology as now also smaller orchards are registered by land use data.

There are several examples of conflicts between the general use of natural resources as allowed by the sectoral legislation and the conservation objectives. For example, agricultural use of the grasslands, even if done in a sustainable manner, is often not sufficient to preserve certain grassland species which need more adapted, low-intensity management: for example, decline of Whinchats *Saxicola rubetra* in the area of Ljubljansko barje Landscape park/Natura 2000 area can be attributed to the above conflict of uses. Those species need more adaptive management and will not survive even in protected areas unless separate »no-intervention« or »target intervention« agricultural measures will be implemented.

Period 2015-20

The reasons for insufficient implementation of agri-environmental measures in PUN 2007-2013 were addressed as far as possible by changes of the CAP in 2014-15, adopted by the Council of the EU and the European Commission (e.g. delegated acts), and by improvements of the Slovenian Rural Development Programme 2014-2020.

CAP regulations for direct payments (1. pillar) brought restrictions on the conversion of meadows in Natura 2000 sites (environmentally sensitive permanent grasslands)⁹⁷, that apply on ca. 22% of utilised agricultural land in Natura 2000 network.

In the RDP operational programme and PUN 2015-2020, the approach to achieving favourable conservation status in grassland areas continued to be based on the assumption that agricultural holdings would enter into one of the five targeted Natura 2000 AEP measures (four of them have surface area targets for 2020). Within the RDP, other measures are also available and used to achieve the conservation objectives (cooperation, CLLD, knowledge transfer and advisory services).

The achieved surface area under agri-environmental schemes, where relevant for the Natura 2000 Management Programme 2015-2020:

⁹⁶ Translated after Žvikat, 2013

⁹⁷ Article 45 of Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20. 12. 2013, p. 608), last amended by Commission Delegated Regulation (EU) No 1001/2014 of 18 July 2014 amending Annex X to Regulation (EU) No 1307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy (OJ L 281, 25. 9. 2014, p. 1)

Operation	Target value 2020	Year 2015	Year 2016	Year 2017	Year 2015 - % of target value	Year 2016 - % of target value	Year 2017 - % of target value
HAB	19.819 ha	2.880 ha	3.773 ha	3.872 ha	15%	19%	20%
MET	1.448 ha	440 ha	591 ha	614 ha	30%	41%	42%
VTR	3.151 ha	1.054 ha	1.262 ha	1.297 ha	33%	40%	41%
STE	77 ha	14 ha	15 ha	15 ha	18%	19%	19%

VTR - Maintenance of grassland habitats for birds and wet meadow, HAB - Maintenance of special grassland habitats, STE - Fall mowing for butterflies, MET - Late mowing for butterflies

The use of RDP funds for implementation of these measures in 2017 reached ca. 1,4 MEUR.

Slovenian Farmland Bird Index shows moderate decrease after 2010, as in all EU MS with AEP. AEP have a positive effect, but not large enough to minimise negative effects of other factors. Between 2015 and 2016 this index shows an increase of 3,6%, and between 2016 and 2017 an increase of 0,9%, coming to the value of 76,1% (% in relation to the year 2006). The current increase does not yet mean a change of the trend, but indicates the improvement of environmental efficiency of the CAP. However, there are many possibilities for improvement.

The involvement of IRSCN and responsible authorities in the agricultural sector in the implementation of Natura 2000 measures is a long-term process and is still under way. It mainly runs through joint projects, joint meetings and information exchange. The Slovenian Court of Auditors estimates that the effectiveness of the implementation of the measures contained in PUN in the agricultural sector (implementation of the AEP) could be improved, for example through the arrangement of **cooperation between the IRSNC and the agricultural sector at the system level**. The Court also noted the potential risk that implementation of conservation measures in Natura sites 2000 will not be effective **unless they are fully integrated into sectoral plans, if those plans are not timely prepared or if measures are only based on the voluntary participation**.

Agri-environment-climate measures foreseen in this new financial perspective were prepared in order to avoid negative influences and were specifically chosen for improvement of the conservation status of Natura 2000 species and habitats. Agri-environment climate measures are based on the voluntary inclusion of farmers, therefore additional efforts are needed to convince farmers to join this scheme.

To improve the cooperation between the IRSCN and responsible bodies in the farming sector, the Ministry for Agriculture, Food and Forestry financed transfer of knowledge and training of farming advisors on nature conservation and stronger cooperation with farmers on most affected Natura 2000 areas. These activities have been done by the IRSCN in 2015-2016 with the help of RDS's technical assistance, and they resulted in higher inclusion in targeted Natura 2000 AEP.

Ministry for Agriculture, Food and Forestry established an expert group for grasslands in January 2016 to foster expert dialogue among experts and NGOs to renew targeted Natura 2000 AEPs for grasslands. This resulted in a renewed AE operation "HAB", which now has different starting dates for mowing in different parts of the country, and a new sub-measure for wet meadows (MHAB). Meadows of farmers that only mow grass are now also eligible for this measure.

In 2018, individual advising will start as a new RDP measure, with special attention to advising on farming techniques friendly to biodiversity conservation.

2.3.6 Natura 2000 measures for waters

Waters and wetlands cover less than 1% of Natura 2000 network in Slovenia, but they are very important, as they are crucial for conservation of 140 Natura 2000 species and habitat types.

PUN sets detailed conservation objectives which refer to ensuring the passability of watercourses and reducing hydro-morphological burdens (improving the structure of the bed and banks of watercourses), and objectives attained by maintaining watercourses or their restoration (such as maintenance of embankments and channels which facilitates the survival of Natura species, and preserves the structure and function of riparian habitat types, adjusted clearing of vegetation in watercourses and removing alluvial material).

PUN measures are carried out through different projects and must contribute to the objectives of the Water Framework Directive and the Marine Strategy Framework Directive.

3. Implementation of appropriate assessment - Articles 6(3) and 6(4)

Articles 6(3) and 6(4) of the Habitats Directive lay down the procedure to be followed when planning new developments that might affect a Natura 2000 site.

In Slovenia, the **“acceptability assessment of impacts of plans or activities in nature on conservation objectives in Natura 2000 areas”** (i.e. "appropriate assessment" pursuant to Article 6(3) of the Habitats Directive) is regulated on the basis of the Nature Conservation Act, the Decree on special protection areas (Natura 2000 areas), and the Rules on the assessment of acceptability of impacts caused by the execution of plans and activities affecting nature in protected areas, including Natura 2000 sites. Appropriate assessment (AA further in text) is regulated in detail in Slovenian legislation, transposing relevant case law and relevant guidance, adopted by the European Commission. This legislation was adopted soon after the EU accession, based on Art 6 and Art 6.3 and 6.4 guidance. Later developments of case law brought more clarity and partially changed the practice.

The AA for plans is done in the framework of the comprehensive environmental impact assessment procedure which is carried out on the basis of regulations on environmental protection, while for projects, the assessment is carried out within the environmental consent, nature protection consent, permits for activities affecting nature or any other permit. AA in the frame of the SEA and EIA procedures is done by an external contractor. Its content is checked on quality and correctness of findings by the SEA Department of the Ministry or ARSO (for EIA), based on the expert opinion, provided by IRSCN.

The procedure regarding the AA of the impacts of plans or spatial activities in nature is carried out at several levels, where the preceding level is a basis for the ensuing procedure at the next level. There are four such levels. The contents of separate assessment levels and the corresponding decisions in administrative procedures of appropriate assessments are:

- At the 1st assessment level, the expected effects of a certain plan or spatial activity in nature are established, as well as their significance, considering that they could have a significant impact on the protected and Natura 2000 areas. With a decree, plans and spatial activities in nature, for which appropriate assessments must be made, are also stipulated.
- At the 2nd assessment level, the expected effects of a certain plan or spatial intervention in nature are established and their acceptability assessed, which includes a possible assessment of other similar solutions and, in a case expected detrimental impacts are established, an assessment of suitable mitigating measures. In the end, the resolution is made to confirm the plan.
- At the 3rd assessment level, the existence of alternative solutions to reach the objectives of a plan or spatial intervention in nature is established and their suitability assessed.
- At the 4th assessment level, the existence of compensatory measures is established and their suitability assessed. On the basis of the results gained at the 3rd and 4th assessment levels, a decree is issued in which a decision is made as to the imperative reasons of public interest overriding the interests of nature conservation⁹⁸.

⁹⁸ Nature Conservation Act

As highlighted in the answers to the questionnaire for the Fitness Check of Nature Directives, submitted by the Ministry of the environment and spatial planning, there is still an overall lack of understanding of, or willingness to accept, the AA procedure amongst certain authorities and/or sectors. This has caused difficulties in its implementation, which has led to more frequent delays, inconsistencies in application and frustrations amongst the developers, authorities and NGOs⁹⁹. Data clearly show that in Slovenia only a small proportion of plans and projects are not approved due to their possible influence on Natura 2000 sites. In 2011, the State Institute for Nature Conservation issued **2820 opinions** on plans or projects under the AA procedure. Out of these, 68% showed no significant impacts and so were given the go ahead, 27% were approved once appropriate mitigation measures had been amended and **2% were refused** because of their adverse effect on a Natura 2000 site. The statistics for projects for 2007 – 2010 shows very similar figures: 2007 – 92% of 1356 cases was without a significant effect (both completely without or with mitigation measures prescribed); 2008 – 93% of 1,785 cases; 2009 – 94% of 2,285 cases; 2010 – 95% of 2,587 cases.

In 2012, the efficiency of the SEA procedures in Slovenia was evaluated in a research project¹⁰⁰. Approximately 3% of the SEA procedures have been rated as exemplary, 60% as satisfactory, 31% as inadequate and 6% as inappropriate. The results of the study highlight especially the need for better monitoring the achievements of the SEA in securing effective protection of the environment and to the implementation of principles of sustainable development. At the same time, the quality of the assessments, with a low level of inappropriate quality, seems to be sufficient for appropriate assessments.

As explained in the previous chapters, the inclusion of the conservation objectives and measures as defined in PUN in the process of preparation of the key strategic planning documents for different sectors is ensured through the participation of the IRSNC in the preparatory process and their nature conservation guidelines. IRSNC concluded that environmental assessments, including the appropriate assessment of such plans are not needed when the nature conservation guidelines with PUN conservation measures are integrated into these planning documents at sufficient level. Slovenian Court of Auditors concluded that IRSNC was properly involved in the preparation of the majority of the sectoral key planning documents.

This does not, however, imply that environmental impact assessment (EIA) and also the appropriate assessment would not be needed for activities in such plans that may have a considerable impact on Natura 2000 areas.

An example of such a situation is shown below for the forestry sector in case of the forest roads: The construction of forest roads for transportation of wood (»vlake«) is mentioned in the Rural Development Program 2014-2020 as an activity that can have a very significant impact on protected species, birds and forest ecosystems. The same report states that the design of forest roads is inadequate and can threaten reaching the conservation objectives for the forest Natura 2000 areas. IRSNC was involved in a consultation process with the Ministry responsible for forests, in order to define a system of constructions of new roads and additional measures, such as establishment and financing of the eco-cells (»set aside zones«) to minimize negative effects of roads and wood extraction. However,

⁹⁹ Sundseth K. & Roth P. 2013. EC Study on evaluating and improving permitting procedures related to Natura 2000 requirements under Article 6.3 of the Habitats Directive 92/43/EEC

¹⁰⁰ Uporaba in učinkovitost celovite presoje vplivov na okolje ter presoja vplivov na človekovo zdravje. Available at: <http://www.bf.unilj.si/oddelek-za-krajinsko-arhitekturo/oddelek/raziskovalno-instrukovno-delo/>

the process of cooperation with the forestry sector proved not to be fully efficient as the proposal of IRSNC by which assessment of new forest roads should become a subject of EIA has not been accepted.

In the agricultural sector, within the SEA procedures for the preparation of the Agriculture and food strategy prepared by the ministry responsible for agriculture, which defines the key measures and activities for achieving the objectives of the Resolution on the strategic orientations of agriculture by 2020 (inter alia, measures under direct payments and measures under Rural Development Programme 2014-2020), the IRSNC pointed out that the document also provides for some measures aimed at improving the production potential for food production, which can significantly affect the Natura 2000 sites and the species and habitat types (especially agro-melioration, land consolidation and irrigation systems). However, since this was a strategic document, and it did not contain more detailed descriptions of the spatial measures, the IRSCN suggested that the assessment of the admissibility of the effects of individual measures should be carried out at later stages of their planning and implementation, when the measures will be substantive and clearly defined in space.

IRSNC also drew attention to the strict compliance with the legislation which requires environmental impact assessments for certain activities and outlined that, for example, many agro-melioration works are undertaken in Natura 2000 sites without prior assessment of their environmental impact. Similarly, intervention measures on the watercourses and water infrastructure (as a result of mitigation or intervention measures after the natural disasters) were implemented without prior assessments and consents. Ministry reacted and adopted "Rules on the types and scope of tasks of mandatory state public utility services in the field of river engineering"¹⁰¹. Full response of the ministry is presented in Slovenian Court of Auditors Report (p. 66). Legal basis for procedure of assessing the impact of intervention measures on Natura 2000 species and habitat types for the periods of the increased danger of floods/natural disasters are the Nature Conservation Act (Art. 10), the Law on Water¹⁰² (Art. 96a), the Rules on the types and scope of tasks of mandatory state public utility services in the field of river engineering¹⁰³ and the Environmental Act (Art. 40). Provisions of Article 10 of the Nature Conservation Act and the Rules on the types and scope of tasks of mandatory state public utility services in the field of river engineering are to be changed, and are therefore not discussed further in this document.

There are also examples where the conclusions of the appropriate assessments are challenged by the third party as an NGO. Such an example is a plan for construction of the hydropower plant Mokrice at the Lower Sava river section. In this case, an NGO argued against the outcomes of the appropriate assessment within the strategic environmental assessment (SEA) procedure, which stated that the plan would not have negative consequences on the target species of fish in the Natura 2000 site. They estimated that the proposed measure (construction of the bypass channel and the fish pass) will not prevent deterioration of the sufficient extent of the natural habitat for two fish species. FRIS and IRSCN issued their opinion in 2013, concluding that the proposed plan will not have a significant effect on relevant fish species, provided that conditions, listed in the opinion (mitigation measures), are met. In the SEA all opinions were taken into account and all mitigation measures were included in the Decree on National plan of Mokrice. On this basis, the final environmental acceptance decision was issued by the Ministry of Environment and Spatial planning and the plan was approved in 2013.

¹⁰¹ Pravilnik o vrstah in obsegu nalog obveznih državnih gospodarskih javnih služb urejanja voda (Uradni list RS, št. 57/06 in 60/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV6505>

¹⁰² Uradni list RS št. 56/15

¹⁰³ Pravilnik o vrstah in obsegu nalog obveznih državnih gospodarskih javnih služb urejanja voda (Uradni list RS, št. 57/06 in 60/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV6505>

Extensive Slovenian Natura 2000 network, spanning across the landscape and close to larger settlements, results in a significant number of appropriate assessment procedures. They are performed at the cost of investors (polluter pays principle for projects) and proponents of plans (e.g. ministries on the national level and local communities on the local level), while SEA/EIA procedures and expert input are performed as regular tasks of public institutions. IRSCN has 12 FTEs working on this, representing ca. 15% of all its staff, financed by state budget (IRSVN staff employed by projects is excluded), while MOE and its Agency have additional 21 FTE. Statistics on the number of AA procedures is shown below.

Number of EIA and AA procedures from 2012 to 2017

Year	No. of EIA procedures	No. of AA as a part of EIA
2012	23	13
2013	22	9
2014	16	8
2015	14	6
2016	11	2
2017	34	8

List of EIA procedures:

http://www.arso.gov.si/varstvo_okolja/presoja_vplivov_na_okolje/okoljevarstveno_soglasje/podatki_o_izdanih_in_zavrnenih_okoljevarstvenih_soglasjih/

http://www.arso.gov.si/varstvo_okolja/presoja_vplivov_na_okolje/okoljevarstveno_soglasje/evidenca_oseb_ki_so_izdelale_poročilo_o_vplivih_na_okolje_in_pravnomočnih_OVS/

Number of AA procedures as a part of permitting for construction

Year	No. AA as a part of permitting for construction
2014	2.474
2015	2.420
2016	2.696
2017	2.764

The AA procedures are implemented also as part of other permitting procedures. There were approximately 150 such procedures in 2017. The AA as a stand-alone procedure (no SEA/EIA required) has been done in 121 cases in 2017. Within the SEA procedure there were 171 AA procedures implemented in 2017. In exceptional circumstances, a plan or project may still be allowed to go ahead, in spite of a negative assessment, provided there are no alternative solutions and the plan or project is considered to be justified for imperative reasons of overriding public interest. In such cases, the Member State must take appropriate compensatory measures to ensure that the overall coherence of the Natura 2000 Network is maintained (Article 6.4 of the Habitats directive). A procedure where overriding public interest provided reasons for implementation of the planned activities in Natura 2000 sites (Article 6(4)) was so far not used in Slovenia.

Certain AA procedures in Slovenia last for several years. Therefore, for Slovenia (as highlighted also in the Council conclusions on the Action Plan) it is important that the Action Plan foresees, in close cooperation with the Member States, update, translation and promotion of guidance documents, notably on the implementation of Article 6 and the methodological guidance on article 6(3) and (4). The mechanism that the Commission will establish to help Member State authorities address key challenges in applying the Nature Directives' requirements related to permitting procedures, without jeopardising the application of the principle of subsidiarity, will also be welcome and needed. Slovenia could also use *ad hoc* training programmes and support mechanisms for administrations dealing with the permitting requirements of the Birds and Habitats Directives for Natura 2000 and species protection rules (2017-2019), including through providing opportunities under LIFE Environmental Governance and Information.

4. Financing of Natura 2000 and the contribution of EU funds

The Article 8 of the Habitats Directive provides that, in agreement with the Member State, the Commission shall identify the measures necessary to maintain or restore a favourable conservation status of priority natural habitat types and priority species and an assessment of their funding and co-financing by the EU. The Commission then adopts a prioritized action framework to be implemented, including co-financing, taking into account available funding sources under the relevant EU instruments.

The European Commission proposed that the Member States themselves define the Prioritized Action Framework (PAF). The Commission also proposed that this should apply to all species and habitat types for which Natura 2000 sites are designated. Prioritized Action Framework for 2015-2020 contains the measures necessary for conservation and restoring to a favourable status of species and habitat types in Natura 2000 areas and is considered a planning tool to strengthen Natura 2000 financing from EU financial instruments.

Strategic conservation priorities for Natura 2000 in Slovenia for 2015-2020 were defined in the following clusters:

- Priority habitats and species
- Other habitats and species
- Investments in green tourism/jobs, climate change mitigation/adaptation, ecosystem benefits, research, education, training, awareness, promotion of co-operation

In the PAF, submitted in 2012, the Slovenian authorities summarised the experience from 2007 to 2012 with the use of EU financial instruments in Slovenia. This is shown in the [Table 4](#). below.

Table 4. The use of EU funds for Natura 2000 from 2007 to 2012

	Provision	Level of use (VS-very significant, MU-moderate use, MI-minor use, NU-no use)
European Agricultural Fund for Rural Development (EAFRD)		
	213 Natura 2000 payments	0
	224 Forest Natura 200 payments	0
	214 Agri-environment	MI / MU
	225-Forest-environment measures	0
European Fisheries Fund		
	Axis 1	0
	Axis 2	0
	Axis 3	NU
	Axis 4	0
Structural Funds and the Cohesion Fund		

European Regional Development Fund		
	Category 51	MI
	Category 55	MI
	Category 56	MI
	INTERREG	MI
European Social Fund		MI
LIFE+	Nature and Biodiversity	VS, MU
7th Framework Programme for Research		MI
Public/Private Partnership financing schemes		MI
Use of innovative financing		MI

Source: Prioritised Action Framework (PAF) for Natura 2000

Adequate financing is crucial for the implementation of the Birds and Habitats Directives. In the previous financial perspective, some resources were allocated from different EU financial mechanisms which have contributed towards the implementation of the Directives. However, in the framework of the ERDF mostly projects that could only indirectly contribute to the achievement of their objectives have been foreseen. The ERDF-ETC (European Territorial Cooperation) was an important source for small-scale projects more or less directly connected to nature conservation issues. Finally, only limited amounts were spent for the realisation of nature conservation projects due to the fact that nature conservation was not seen as a priority.

Regarding the use of the EAFRD, the analysis of the achievement of agri-environmental measures shows that during the period 2007–2012 they were not successful from the perspective of achieving objectives in Natura 2000 areas.

The table above indicates that Slovenia has not effectively used potential EU financial instruments available for management of the Natura 2000 network in the period 2007-2013. The only exception to this is the LIFE programme.

As highlighted in the documentation submitted by MOE under the fitness check of the Nature Directives¹⁰⁴, Slovenia considers the uneven distribution of protected habitats and species throughout the EU and its high proportion of Natura 2000 areas as an excessive financial burden. Member States (MS) with the biggest share of their territory under the Natura network have more tasks for its management than other MS. In MS with a low percentage of Natura 2000, there are also less proactive management measures to be implemented. In the countries like Slovenia, with a large share of Natura 2000, there are many proactive measures to be implemented, and this brings an excessive amount of work, both for public administration and stakeholders. This burden of work is not only comprised in the

¹⁰⁴ Evidence Gathering Questionnaire for the Fitness Check of the Nature Directives, replies from Slovenian Ministry of the Environment and Spatial Planning, 18.3.2015. Available at: http://ec.europa.eu/environment/nature/legislation/fitness_check/evidence_gathering/docs/Member%20State%20Stakeholders/Nature%20Protection%20Authorities/SI/MS%20-%20SI%20-%20NPA%20-%20EGQ.pdf

preparation and submission of projects for EU funding but also for their implementation. For example, financing of the measures for land purchase for conservation purposes is probably more demanding once the funding is secured and land purchased as sufficient resources (especially in staff) has to be secured to maintain the ecological character of the land for conservation purposes¹⁰⁵.

On average there are currently **5 MEUR** yearly spent on Natura 2000 management from national funds, while spending from EU funds (including obligatory Slovenian co-financing of measures) varies and is described below for each fund. Review of the financial sources, the proportion of identified funding needs and factors which may have favoured or hindered access to and use of funds within different EU financial mechanisms is provided below.

4.1 European Regional Development Fund

Cohesion Policy targets all regions and cities in the European Union in order to support job creation, business competitiveness, economic growth, sustainable development, and improve citizens' quality of life. The European Commission has identified 11 thematic objectives in the framework of which the Member States finance European Cohesion Policy measures and thus contribute to meeting the Europe 2020 Strategy goals, measure Nr. 6 being "preserving and protecting the environment and promoting resource efficiency". The funding available under the European Regional Development Fund, according to the Partnership Agreement between Slovenia and the European Commission, has been allocated also for Natura 2000 network. The operational programme for the implementation of the EU Cohesion Policy in the period 2014–2020 allocated in total **45 MEUR** of EU co-financing for the improvement of conservation status of Natura 2000 species and habitat types.

4.2 European Regional and Development Fund - European Territorial Cooperation

Sources allocated by the European Regional and Development Fund - European Territorial Cooperation (ERDF-ETC) are an important financial source improvement of the conservation status of Natura 2000 species and habitat types, especially in cross-border programmes with Croatia and Italy, where this is one of the programme result indicators. Projects applicants are mainly management authorities of national or local protected areas. In contrast to these programmes in the period 2007-13, where most project activities contributed only indirectly to the achievement of the objectives of the Birds and Habitats Directives, it is expected that new projects will directly contribute to these objectives.

4.3 Agri-environmental payments from the operational programme for rural development

Agri-environmental measures are defined in the PUN 2015-2020 as a key instrument for managing agricultural land within Natura 2000 sites. Based on the analysis of the achievement of agri-environmental measures¹⁰⁶ during the period 2007–2012, the new targeted Natura 2000 AEP for the period 2015-2020 were designed and focused in a way to increase the uptake of agri-environmental measures specific for Natura 2000 and to improve the conservation status of agriculture-dependent Natura 2000 species and habitat types.

¹⁰⁵ Evidence Gathering Questionnaire for the Fitness Check of the Nature Directives, replies from Slovenian Ministry of the Environment and Spatial Planning, 18.3.2015. Available at: http://ec.europa.eu/environment/nature/legislation/fitness_check/evidence_gathering/docs/Member%20State%20Stakeholders/Nature%20Protection%20Authorities/SI/MS%20-%20SI%20-%20NPA%20-%20EGQ.pdf

4.4 LIFE Programme

The LIFE programme is still the only EU fund intended exclusively for the environment and nature and is, therefore, the most important source to finance measures designed to meet the requirements of both directives in addition to the national budget. The advantage is that other priorities (tourism, infrastructure, etc.) recognized by different stakeholders cannot be put forward, such as is the case in the other EU funds and where, consequently, less Natura 2000 projects are funded.

LIFE programme primarily supports activities that develop or demonstrate examples of good practice and certain types of one-off costs but does not allow funding of recurrent costs for conservation management measures which are crucial for maintenance and improvement of habitats' and species' favourable conservation status. The needs to finance activities on a daily basis are most probably larger and cannot be covered only by the national budget. The Nature Directives as a legal basis and the LIFE programme as an additional source of financing are crucial for a country with such high percentage of Natura 2000 network.

There is a large difference between the identified needs on the national level and the LIFE funds that were actually used by the approved projects. Opportunities for funding from the LIFE programme are wide enough, but conditions for using these funds are limiting (especially low degree of co-financing). Project ideas are coming from the local environment, which often involved solving local problems without a broader aspect and Member State does not have the possibility to influence the content and complexity of the project. With the new LIFE concept, this is partly compensated by the introduction of the integrated projects. However, this only applies to the implementation of PAF or other national programme based on EU legislation. For traditional projects, the bottom up principle is even more strengthened. In LIFE+, the Competent Authorities had at least a limited possibility to influence on the selection procedure with providing national priorities and comments to the projects. Now LIFE is completely under the competence of the European Commission; evaluation and approval of the projects are done by EASME (Executive Agency for Small and Medium-sized Enterprises) and the role of the Member State is limited to the provision of information and advisory service in the process of preparation of the project proposal¹⁰⁷.

The national allocation for LIFE was used in 122% (approved projects in 2017 included), and the majority of projects were Natura 2000 projects. The main reason that a larger number of projects were not financed is the degree of co-financing. The 50% co-financing in LIFE+ for nature projects was far too low given that possibilities for market activities, with which applicants are able to obtain additional funds for their own participation are much lower than in other sectors (trade, industry, technologies). The 60% co-financing in the new LIFE programme is better, but still too low for most applicants. In Slovenia, project applicants managed to obtain 34,5 million euros for 28 nature conservation projects from the year 2000-2017. The overview of LIFE projects in the period 2000-2017 (which at least in part were directed to Natura 2000 species and habitat types in Slovenia) is provided in **Table 5**. Considering that the project budget in case of international projects is not spent entirely in the territory of Slovenia, we did not sum the numbers as the actual funds allocated to Slovenia are lower.

¹⁰⁷ See: https://lifeslovenija.si/wp-content/uploads/2017/02/2017_infodan_uvod-3.pdf

Table 5. Overview of LIFE projects which at least partly were directed to Natura 2000 species and habitat types in Slovenia.

Name of the project	Project code	Start date	End date	EU funding	Total budget
Triglav - Peatbogs in Triglav National Park	LIFE00 NAT/SLO/007231	15.06.2001	30.11.2003	352.650,00 €	470.200,00 €
DOPPS - Restoring and conserving habitats and birds in Skocjanski Zatok N.R.	LIFE00 NAT/SLO/007226	01.07.2001	30.06.2007	289.935,00 €	581.869,00 €
Dry meadows - Management plan and urgent actions for Veternik and Oslica high dry meadows	LIFE00 NAT/SLO/007223	01.01.2001	31.12.2003	206.250,00 €	275.000,00 €
Karst park - Conservation of endangered habitats / species in the future Karst Park	LIFE02 NAT/SLO/008587	01.10.2002	30.09.2005	357.698,00 €	476.930,00 €
Ursus Slovenia - Conservation of large Carnivores in Slovenia - Phase I (Ursus Arctos)	LIFE02 NAT/SLO/008585	01.09.2002	31.08.2005	455.867,00 €	607.822,00 €
Crex Slovenia - Establishing long-term protection of Crex crex in Slovenia	LIFE03 NAT/SLO/000077	01.01.2004	31.03.2007	606.768,00 €	809.024,00 €
Secovlje - Conservation of endangered species and habitats in the Secovlje salt-pans Park	LIFE03 NAT/SLO/000076	01.09.2003	01.09.2006	357.220,00 €	714.440,00 €
NATSLOMPIS - NATURA 2000 in Slovenia - management models and information system	LIFE04 NAT/SI/000240	01.01.2005	31.12.2007	843.039,00 €	1.686.077,00 €
AQUALUTRA - Conservation of otter population (Lutra lutra) in Goricko - phase 1	LIFE04 NAT/SI/000234	01.11.2004	31.10.2008	456.244,00 €	1.050.780,00 €
Cerknisko Jezero - Intermittent Cerknica Lake	LIFE06 NAT/SI/000069	01.01.2007	31.12.2009	1.340.554,00 €	1.840.584,00 €
BIOMURA - Conservation of biodiversity of the Mura river in Slovenia	LIFE06 NAT/SI/000066	31.10.2006	31.10.2011	969.385,00 €	1.975.519,00 €
SloWolf - Conservation and surveillance of conservation status of wolf (Canis lupus) population in Slovenia	LIFE08 NAT/SLO/000244	01.01.2010	31.12.2013	721.850,00 €	1.017.773,00 €

Name of the project	Project code	Start date	End date	EU funding	Total budget
Life at Night - Improving the conservation status of nocturnal animals (moths and bats) by reducing the effect of artificial lighting at cultural heritage sites	LIFE09 NAT/SI/000378	01.09.2010	28.02.2014	294.393,00 €	596.280,00 €
MANSALT - Man and Nature in Secovlje salt-pans	LIFE09 NAT/SI/000376	01.10.2010	01.10.2015	3.439.983,00 €	7.056.366,00 €
WETMAN - Conservation and management of freshwater wetlands in Slovenia	LIFE09 NAT/SI/000374	01.02.2011	01.02.2015	1.072.188,00 €	2.144.376,00 €
Ljubljana connects - Restoration of the Ljubljana River corridor and improvement of the river's flow regime	LIFE10 NAT/SI/000142	01.01.2012	31.08.2016	584.382,00 €	1.188.015,00 €
SIMARINE-NATURA - Preparatory inventory and activities for the designation of marine IBA and SPA site for <i>Phalacrocorax aristotelis desmarestii</i> in Slovenia	LIFE10 NAT/SI/000141	01.09.2011	31.05.2016	284.675,00 €	474.458,00 €
LIVEDRAVA - Riparian Ecosystem Restoration of the Lower Drava River in Slovenia	LIFE11 NAT/SI/000882	01.09.2012	31.12.2017	2.188.741,00 €	4.409.483,00 €
SI Natura2000 Management - Natura 2000 Management programme for Slovenia for the period 2014-2020	LIFE11 NAT/SI/000880	20.08.2012	30.07.2015	853.457,00 €	1.706.914,00 €
LIFE Kočevsko - Conservation of Natura 2000 sites Kočevsko	LIFE13 NAT/SI/000314	01.09.2014	28.02.2019	1.135.006,00 €	2.270.013,00 €
LIFE DINALP BEAR - Population level management and conservation of brown bears in northern Dinaric Mountains and the Alps	LIFE13 NAT/SI/000550	01.07.2014	30.06.2019	4.149.202,00 €	5.987.478,00 €
LIFE TO GRASSLANDS - LIFE Conservation and management of dry grasslands in Eastern Slovenia	LIFE14 NAT/SI/000005	01.11.2015	31.10.2020	2.923.936,00 €	3.898.582,00 €

Name of the project	Project code	Start date	End date	EU funding	Total budget
LIFE STRŽEN - Improvement of Natura 2000 statuses with renaturation of Stržen's riverbed on intermittent Cerknica Lake	LIFE16 NAT/SI/000708	01.09.2017	31.08.2022	2.863.212,00 €	3.863.248,00 €
LIFE for LASCA - LIFE SAVING LASCA Urgent measure to conserve nearly extinct species Protochondrostoma genei	LIFE16 NAT/SI/000644	01.10.2017	31.12.2021	1.331.160,00 €	223.788,00 €
LIFE Lynx - Preventing the extinction of the Dinaric-SE Alpine lynx population through reinforcement and long-term conservation	LIFE16 NAT/SI/000634	01.07.2017	31.03.2024	4.081.404,00 €	6.829.377,00 €
LIFE NATURAVIVA	LIFE16 GIE/SI/000711	04.09.2017	31.08.2022	1.473.385	2.455.642
LIFE EUROTURTLES - Collective actions for improving the conservation status of the sea turtle populations	LIFE15 NAT/HR/000997	01.09.2016	31.08.2021	3.793.167,00 €	5.116.167,00 €
ROC-POP-LIFE - Promoting biodiversity enhancement by Restoration Of Cystoseira Populations	LIFE16 NAT/IT/000816	01.10.2017	30.09.2020	543.597,00 €	912.697,00 €
LIFE WOLFALPS - WOLF IN THE ALPS: IMPLEMENTATION OF COORDINATED WOLF CONSERVATION ACTIONS IN CORE AREAS AND BEYOND	LIFE12 NAT/IT/000807	01.09.2013	31.05.2018	4,174,309	6,100,454
Awareness raising projects					
AQUAVIVA - Live Water - from Biodiversity to the Tap	LIFE10 INF/SI/000135	01.09.2011	31.12.2014	235.314,00 €	548.141,00 €
LIFE NATURAVIVA - BIODIVERSITY – ART OF LIFE	LIFE16 GIE/SI/000711	04.09.2017	31.08.2022	1.473.385,00 €	2.482.242,00 €
LIFE EUROLARGECARNIVORES - Improving human coexistence with large carnivores in Europe through communication and transboundary cooperation	LIFE16 GIE/DE/000661	01.09.2017	28.02.2022	3.613.823,00 €	6.058.902,00 €
Capacity building projects					

Name of the project	Project code	Start date	End date	EU funding	Total budget
LIFE CB SI - LIFE Capacity Building Slovenia	LIFE14 CAP/SI/000012	01.01.2016	30.06.2018	981.330,00 €	1.218.146,00 €

4.5 Estimation of financial needs for the management of Natura 2000 for 2014-2020

Based on the experience from the last financial perspective and the evaluation of the conservation status of habitats and species as required under the Birds and Habitats Directives, more funds were directly allocated for nature conservation projects in the ERDF for the financial period 2014–2020, based on PAF (Table 6). In this period, projects of national importance that would contribute directly to the achievement of the Natura 2000 goals, especially the improvement of the conservation status of species and habitats are supported. Better outputs were achieved in projects financed from LIFE, where sources are primarily allocated for actions that directly contribute to the conservation of biodiversity and nature.

Table 6. Estimation of financial needs for management of Natura 2000 for Slovenia (source: PAF, 2013)

Type of cost	Cumulative estimate for 7 years (M EUR)
Management planning	40
Scientific studies	8
Land purchase	9
Infrastructure for habitat/species improvement/restoration and access	117
Conservation management measures	7
TOTAL	181

Source: Prioritised Action Framework (PAF) for Natura 2000

4.6 Assessment of the level of use of EU funds for Natura 2000 per each fund in the current financial period

As part of the Natura 2000 Management Programme (PUN 2015-2020,) priority projects to ensure the conservation objectives of the Natura 2000 network were adopted by the government. They are reflected in the operational programmes for using EU funds in the financial perspective 2014 – 2020.

Operational Programme for the Implementation of the EU Cohesion Policy in the Period 2014–2020 allocated **54 MEUR** (EU financing + Slovenian contribution) for the implementation of priority projects (Table A of the Appendix 6.4 in PUN). These projects are approved by direct confirmation and it can be assured that they contain activities for improvement of conservation status in the field. By the end of 2017, five projects have been confirmed, valuing in total 15 MEUR. In 2018, it is expected to confirm additional 8 to 10 projects and 5 complementary interpretation projects, thus committing the rest of the money.

Rural Development Programme 2014 -2020 has allocations for targeted Natura 2000 AEP and measures under Cooperation, CLLD, Knowledge transfer and Advisory services. The uptake of targeted Natura 2000 AEP resulted in use of ca. **1,4 MEUR yearly** (data for 2017), while level of use of other measures is not following a yearly dynamics and there are no allocations, and in general is lower.

Cooperation programme Slovenia-Croatia has allocated **28 MEUR** for priority axes 6c - natural and cultural heritage and 6d - Natura 2000 (there is no further allocation among them). In the two calls for applications (there is a bottom – up approach in proposing projects) **14,5 MEUR** has been approved (2 MEUR for 6d). Applications from the third call for projects are being evaluated.

The operational programme for the European Maritime and Fisheries Fund in the Republic of Slovenia allocated **330.000 EUR** for the implementation of Nature Directives, by now **85.000 EUR** has been committed for approved projects and the rest is expected to be committed in 2018.

Considering the extent of the Natura 2000 network, Slovenia would surely support, in line with the Council conclusions on the Action Plan, the need to ensure predictable, adequate, regular and targeted EU financing and efforts of the Commission to reflect on ways to better integrate nature protection into EU funding and specifically the next MFF 2021-2027.

5. Management of large carnivores

In Slovenia there are 3 species of large carnivores, with the brown bear in favourable conservation status, the wolf in unfavourable-inadequate conservation status and the lynx in unfavourable-bad conservation status.

5.1 Conservation strategies and action plans

The Decree on protected wild animal species provides the possibility that for certain species the state adopts a strategy and on the basis of that strategy a more detailed action plan. So far, there was a need to develop these policy documents for three large carnivores: the brown bear, the wolf and the lynx.

The national brown bear management strategy in Slovenia was adopted in 2002¹⁰⁸, followed by the Action plan for the management of brown bear 2003-2005¹⁰⁹. The new action plan for the period 2007-2011 was prepared, but was never adopted by the government.

The national strategy of conservation and sustainable management of wolf (*Canis lupus*) was adopted in 2009¹¹⁰, followed by the Action plan for sustainable management of a population of wolf (*Canis lupus*) in Slovenia for the period of 2013-2017 (revised in 2015)¹¹¹. The validity of the action plan has ended in 2017, however, the preparation of the new action plan has not yet started.

In 2016, the government has adopted the national Strategy for conservation and sustainable management of lynx (*Lynx lynx*) in Slovenia 2016-2026¹¹².

5.2 Use of derogations on wolf

In the last published composite European Commission report on derogations¹¹³, covering the period 2007–2008, it was noted that the wolf culling quotas in Slovenia were high and could compromise the conservation status of the species. In 2012, the European Commission started a pre-infringement investigation procedure regarding the management of wolves¹¹⁴, which was closed in 2014. After 2014, there were some changes regarding wolf management, but nevertheless, the opposition of some NGOs to culling quotas continued. Some important court judgements were also issued during this period.

In this analysis, we present the current conservation status of wolf, the system of culling quotas introduced by Slovenian authorities, and opinions of some NGOs and scientists which are expressing criticism and reservations to this type of management measures. In the end, we also summarise the national court cases on this issue.

¹⁰⁸ Brown bear (*Ursus arctos*) management strategy in Slovenia, 2002. Available at:

http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/strategy_brown_bear_2002.pdf

¹⁰⁹ Akcijski načrt upravljanja z rjavim medvedom (*Ursus arctos* L.) v Sloveniji za obdobje 2003 – 2005. Available at:

http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/akcijski_nacr_medved_2003.pdf

¹¹⁰ Strategija ohranjanja volka (*Canis lupus*) v Sloveniji in trajnostnega upravljanja z njim, 2009 (pdf, 30 strani), sklep. Available at: http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/strategija_ohranjanja_volka.pdf

¹¹¹ Akcijski načrt za trajnostno upravljanje populacije volka (*Canis lupus*) v Sloveniji za obdobje 2013-2017 (revidirano besedilo). Available at:

http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/akcijski_nacr_upravljanja_volk_2013_2017_revidirano.pdf

¹¹² Strategija ohranjanja in trajnostnega upravljanja navadnega risa (*Lynx lynx*) v Sloveniji 2016–2026. Available at:

http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/strategija_ris_2016_2026.pdf

¹¹³ Composite European Commission Report on Derogations in 2007-2008 According to Article 16 of Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (The Habitats Directive). Available at:

http://ec.europa.eu/environment/nature/knowledge/rep_habitats/docs/Habitats%20Directive%20Derogation%20Report%20007-2008.pdf

¹¹⁴ EU PILOT 4096/12 ENVI

5.2.1 Conservation status of wolf

In Slovenia, the monitoring of wolf populations was for many years based on methods available at that time. In the season 2010/2011, a new monitoring method was added and developed in the LIFE SloWolf project, using genetic sampling to estimate population size and howling to confirm the presence of litters/young wolves. This method is now adopted as the national protocol and was in 2015 incorporated into the revised management action plan on wolves. The second monitoring in the framework of the project was conducted in the season 2011/2012 and again in 2012/2013. After the end of the project, the ministry did not publish a tender for new monitoring at once. The monitoring was conducted in the season 2015/2016 and again in 2016/2017. Population trends are shown in the table below (Table 7).

Table 7. Population trends¹¹⁵ of wolves in Slovenia since the modern monitoring protocol.

Monitoring period	Population estimation SLO*
2010–2011	39 (34–42)
2011–2012	40 (38–43)
2012–2013	46 (45–55)
2014–2015	no genetics and howling monitoring
2015–2016	52 (42–64)
2016–2017	59 (52–69) ¹¹⁶

* For the transboundary packs of wolves which partially live in Croatia, it was calculated that half of those packs live in Slovenia.

According to the latest reporting under the Habitats Directive (Article 17) for the period 2007-2013, the conservation status of the wolf in Slovenia is assessed as **unfavourable – inadequate (U1)** in both biogeographical regions.

In their expert opinion, SFS is concluding that the monitoring data show that the wolf population in the last few years was stable or even slightly increasing and that the population is expanding and forming new packs in the west of the country. While the scientists agree that this test is likely fulfilled and that the culling in the last years did not worsen the conservation status of the species, they warn that the culling is not the only cause of mortality of wolves. Animals can be lost from the population due to poaching, car accidents or natural mortality. The proportion of those other sources of mortality is changing from year to year and also the fertility and immigration, or emigration of individuals are changing, and we have no possibility to predict their magnitude. Scientists concluded that considering that the overall population of wolves in Slovenia is small, there is no certainty that the population could also in the future compensate for such high culling quotas¹¹⁷.

¹¹⁵ Spremljanje varstvenega stanja volkov v Sloveniji v sezoni 2015/2016, Končno poročilo projekta. Ljubljana, november 2016, page 25. Available at:

http://www.natura2000.si/fileadmin/user_upload/Volk_Koncno_porocilo_Spremljanje_varstvenega_stanja_2del.pdf

¹¹⁶ Monitoring of Conservation Status of Wolves in Slovenia in 2016/2017 (Report summary in English). Available at: http://www.natura2000.si/uploads/tx_library/MonitoringVolk_summary.pdf

¹¹⁷ Spremljanje varstvenega stanja volkov v Sloveniji v sezoni 2015/2016, Končno poročilo projekta. Ljubljana, november 2016, page 25. Available at:

http://www.natura2000.si/fileadmin/user_upload/Volk_Koncno_porocilo_Spremljanje_varstvenega_stanja_2del.pdf

5.2.2 Management of wolf in Slovenia and culling quotas

In Slovenia, the wolf is protected since 1993. In 2004, it was protected by a new **Decree on the protection of wild animals**¹¹⁸. In 2009, a national **Strategy on wolf management in Slovenia** was adopted¹¹⁹, which set the ground for possible management of wolf populations with culling quotas. Subsequently, **Action plan for sustainable management of a population of wolf (*Canis lupus*) in Slovenia for the period of 2013-2017 (revised in 2015)**¹²⁰ was adopted. The validity of the action plan has ended in 2017.

The **Decree on the protection of wild animal species** gives a possibility that in individual cases, for the reasons provided by the regulation, an individual decision is made based on an administrative procedure in which a permit is issued, allowing the killing of specimens of protected species. NGOs having a status of working in public interest in the field of nature conservation have a possibility to become a third-party participant in this process. With an amendment of the Decree in 2005, a new provision was introduced that besides the animals which have to be killed because of the danger for safety, yearly culling quotas can be set with a special administrative act. This provision is introduced with a purpose to define precise circumstances and conditions for the use of derogation under Article 16(1)e), because this derogation has to be used in a very controlled and strict sense as these quotas are not set on an individual basis, but on the basis of monitoring results. It is decided by the Government and published as a by-law of the decree (until 2016, from 2017 as an ordinance). The adoption of the decree has an open public consultation phase (30 days) where NGOs can participate and deliver their opinion. If they don't agree with the decision of the Government, they can take legal action at the Administrative Court.

The legal act determining brown bear and wolf culling quotas is each year prepared on the basis of an expert opinion of the SFS, to which the IRSNC is responding with their position. We reviewed these documents, issued in the last few years. We mainly used the opinions issued in 2017 for our further analysis¹²¹. The part of the adoption process of the legal act is reviewing the justifications of opinions provided by SFS and IRSNC by an expert group and working group of stakeholders (appointed by minister), which are also taken into account while adopting the ordinance.

Overview of the number of wolves culled or lost from the population since 2004 is provided in **Table 8**. In 2016, culling was suspended with a temporary decision of the Administrative Court and with the end judgment, culling quotas on wolf was annulled. Culling quotas were again suspended in February 2017, but the final judgment of the Administrative Court has not been issued at the time of completing this report. More details on court decisions are provided in a special chapter below. In the last quarter of 2017, MOE set up a new proposal for the culling quotas for 2018. The new ordinance, determining culling quotas for the wolf and the brown bear has been adopted by the government on 13 December 2017¹²².

¹¹⁸ Uredba o zavarovanih prosto živečih živalskih vrstah (National Gazette No. 46/04, 109/04, 84/05, 115/07, 32/08 – odl. US, 96/08, 36/09, 102/11, 15/14 in 64/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED2386>

¹¹⁹ Strategija ohranjanja volka (*Canis lupus*) v Sloveniji in trajnostnega upravljanja z njim. Available at: http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/strategija_ohranjanja_volka.pdf

¹²⁰ Akcijski načrt za trajnostno upravljanje populacije volka (*Canis lupus*) v Sloveniji za obdobje 2013-2017 (revidirano besedilo). Available at: http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/akcijski_nacrt_upravljanja_volka_2013_2017_revidirano.pdf

¹²¹ ZSG, 2017. Strokovno mnenje za odvzem velikih zveri iz narave v obdobju 1.10.2017 do 30.9.2018. Available at: http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/strokovno_mnenje_odstrel_zveri_2017_2018.pdf

¹²² Odlok o ukrepu odvzema osebkov vrst rjavega medveda (*Ursus arctos*) in volka (*Canis lupus*) iz narave za obdobje do 30. septembra 2018. Uradni list RS, št. 72/2017. Available at: <https://www.uradni-list.si/pdf/2017/Ur/u2017072.pdf>

Table 8. Overview of the culling quotas and other losses of wolves from the population¹²³.

Management period*	Regular Culling quota on the basis of the rules/ordinance	Realised culling based on the rules/ordinance	Intervention culling	Illegal poaching	Other losses	Comments
2004	-	-	3	-	1	
2005	-	-	6	-	-	
2006	-	-	10	-	1	
2007	-	-	5	-	1	
2008	-	-	-	-	-	
2009	10	4	3	-	2	
2010	12	2	-	-	0	
2010/11	12	10	-	-	2	
2011/12	12	10	-	-	2	
2012/13	8	8	-	1	1	
2013/14	Not set	-	1	2	4	
2014/15	5	4	-	1	2	
2015/16	7	4			3	Culling suspended by the Court in February 2016
2016/17	10	3	0	0	1	Culling suspended by the Court in February 2017
Total	76	45	28	4	20	

* With the amendment of the Rules on culling specimens of the brown bear (*Ursus arctos*) and the common wolf (*Canis lupus*) from the wild adopted at the end of 2010 the management period was shifted from a calendar year to a period from 1st October till 30th September of the following year.

5.2.3 Review of derogations on wolves

In this overview, we follow the structure of the Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC¹²⁴. Article 16 sets three preconditions, all of which must be complied with before granting a derogation:

Test 1: The demonstration of one or more of the reasons listed in Article 16(1) (a)-(e),

¹²³ Table is prepared on the basis of the data provided in the expert opinion of ZGS: Strokovno mnenje za odvzem veliki zveri iz narave v obdobju od 1.10.2017 do 30.9.2018. Available at: http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/strokovno_mnenje_odstrel_zveri_2017_2018.pdf

¹²⁴ Available at: http://ec.europa.eu/environment/nature/conservation/species/guidance/pdf/guidance_en.pdf

Test 2: The absence of a satisfactory alternative and

Test3: The assurance that a derogation is not detrimental to the maintenance of populations at a favourable conservation status.

Before the second and third preconditions can be examined, precondition 1 must be met¹²⁵.

Test 1: The demonstration of one or more of the reasons listed in Article 16(1) (a)-(e),

The reasons for granting derogations, listed in the Article 16(1)(a), (b), (c), (d) and (e) of the HD are transposed into the national legislation with the Article 7 of the *Decree on protected wild animal species*¹²⁶. In 2016, this article was amended, but it only brings some more clarity to the regulation, while provisions of the directive are still adequately transposed. With the same amendment, the government has amended article 7a, changing the legal mechanism used for determining culling quotas, which we comment below.

In Slovenia, culling quotas are determined using the reason listed under the Article 16(1)e) of the Habitats Directive, allowing the selective and limited taking of animal species. In the opinion of the SFS, this is needed to balance the wolf population in the environment with respect to the social acceptability of their presence. Indeed, Slovenian research performed in the LIFE SloWolf project in 2011 did reveal that on average the opinion of the small livestock breeders was slightly less in favour of wolf presence than of the general public and hunters¹²⁷. However, the opposing scientists¹²⁸ and legal experts¹²⁹ could not find any evidence that would support the idea that culling could improve opinion of these stakeholder groups. SFS's further justification is that legal culling can reduce illegal poaching. The scientists, on the other hand, stress that this relationship has not yet been studied in Slovenia and provide evidence from some foreign studies which have shown that legal culling does at first reduce poaching, but further increase of culling quota does not reduce poaching anymore¹³⁰. It is possible that a lower culling quota would have the same effect on preventing poaching, but there are no studies to see where this threshold would be. Scientists also state that in their opinion not all satisfactory alternatives have been used to prevent poaching on wolves as the interest of inspectors to which the known cases of poaching have been reported was quite low and so far no poacher has yet been found guilty and convicted¹³¹.

¹²⁵ Page 54 of the Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC

¹²⁶ Uredba o zavarovanih prosto živečih živalskih vrstah (National Gazette No. 46/04, 109/04, 84/05, 115/07, 32/08 – odl. US, 96/08, 36/09, 102/11, 15/14 in 64/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED2386>

¹²⁷ Marinko, U., Majič Skrbinšek, A. 2011. Raziskava odnosa rejcev drobnice, lovcev in širše javnosti do volka in upravljanja z njim (analiza, pripravljena v okviru projekta Life+ SloWolf). SloWolf. 2010. Available at: http://1246.gvs.arnes.si/volkovi.si/wp-content/uploads/2014/10/koncno_porocilo_slowolf_a.6_erratum.pdf

¹²⁸ Jerina, K., M. Krofel, T. Jančar, 2014. Pregled učinkov odstrela volkov v Sloveniji in presoja skladnosti odstrela z določili Habitatne direktive. [Review of effects of wolf culling in Slovenia and assessment of its compliance with Habitat directive regulations]. *Varstvo narave*. 27 (2014) 51–71. Available at: http://www.zrsvn.si/dokumenti/63/2/2014/Jerina_Krofel_Jancar_3717.pdf

¹²⁹ Sancin, V., M. Kovič Dine, T. Pucelj Vidovič, S. Urbica (eds) in N. Andromako, A. Benčina, M. Brunskole, B. Friedl, 2015. Analiza stanja varstva volka 2014-2015. Pravna klinika za varstvo okolja 2014/15, Pravna fakulteta, Univerza v Ljubljani. Available at: http://www.pf.uni-lj.si/media/analiza_stanja_varstva_volka_v_sloveniji_2014-2015.pdf

¹³⁰ Jerina, K., M. Krofel, T. Jančar, 2014. Pregled učinkov odstrela volkov v Sloveniji in presoja skladnosti odstrela z določili Habitatne direktive. [Review of effects of wolf culling in Slovenia and assessment of its compliance with Habitat directive regulations]. *Varstvo narave*. 27 (2014) 51–71. Available at: http://www.zrsvn.si/dokumenti/63/2/2014/Jerina_Krofel_Jancar_3717.pdf

¹³¹ Jerina, K., M. Krofel, T. Jančar, 2014. Pregled učinkov odstrela volkov v Sloveniji in presoja skladnosti odstrela z določili Habitatne direktive. [Review of effects of wolf culling in Slovenia and assessment of its compliance with Habitat directive regulations]. *Varstvo narave*. 27 (2014) 51–71. Available at: http://www.zrsvn.si/dokumenti/63/2/2014/Jerina_Krofel_Jancar_3717.pdf

SFS is further stating that the livestock breeders can have a strong influence on the acceptability of wolf presence, in particular in rural areas. They state that the number of reported damages on livestock has significantly decreased in the last years, probably also owing to the efforts of the SloWolf project in which they promoted and in some cases co-financed electric fences. Despite the sharp decline in damages, the negative public opinion of the livestock breeders is not improving, and petitions to increase culling have been issued by various farmers' organisations and by the National Council of the Republic of Slovenia¹³². However, a study conducted in 2011 provided evidence that the culling quota was not the factor reducing damages on livestock¹³³. It is therefore questionable if it can contribute to increasing social acceptability of wolves.

SFS further notes that the damage to livestock could be even further reduced, but for this, the national *Nature conservation act* and the *Rules on the appropriate manner of protecting property and the types of measures for preventing further damage to property*¹³⁴ would need to be amended. This amendment was planned by the government in 2016¹³⁵, but has so far not yet been adopted. However, in 2015 the minister did adopt *Rules on the register of injured parties, protection schemes implemented and measures and on compensation agreements for damage caused by animals of protected species*¹³⁶, which did make payments of damages more transparent and probably also contributed to further decrease in reported damage and requests for compensation.

Test 2: The absence of a satisfactory alternative

One of the main reasons for using Article 16(1)e) derogation is to slow down spreading of wolves to areas where people are not used to living with large carnivores to gain some time to reach better acceptance and to persuade people to introduce prevention measures. SFS's opinion is that at the moment there are no other realistic and satisfactory alternatives for solving the current issues with the wolf conservation (that is - maintaining the balance between the conservation and the social acceptance,. Some NGOs have proposed catching animals and keeping them in captivity or relocating them to another country or to castrate or sterilise animals in nature. While these measures could indeed be considered unethical and non-selective, SFS does not in any way express their opinion on the proposed additional measures which could be considered as satisfactory alternatives and were proposed and publicly expressed by the scientists. They do not, for example, consider that a satisfactory alternative could be to amend the above-mentioned regulations which would both in their opinion and in the opinion of the scientists further reduce damage to livestock.

Test 3: The assurance that a derogation is not detrimental to the maintenance of populations at a favourable conservation status

According to the recent data, the population seems to be stable with a slight increase in the last year. It is important to highlight that in the last few years the culling of wolves was temporarily suspended by the Administrative Court until the final rulings (see below) and 6 (4 wolves were taken within quota of

¹³² National Council of the Republic of Slovenia is the representative body for social, economic, professional and local interests.

¹³³ Krofel, M., R. Černe, K. Jerina (2011): Effectiveness of wolf (*Canis lupus*) culling to reduce livestock depredations. Zbornik gozdarstva in lesarstva 95: 11-22. Available at: <http://www.volkovi.si/wp-content/uploads/2014/10/krofel-et-al.-2011-effectiveness-of-wolf-culling-zbgl.pdf>

¹³⁴ Pravilnik o primernih načinih varovanja premoženja in vrstah ukrepov za preprečitev nadaljnje škode na premoženju (Uradni list RS, št. 74/05). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV6741>

¹³⁵ Normativni delovni program Vlade Republike Slovenije za leto 2016 (na dan 13. 10. 2016). Available at: http://www.vlada.si/fileadmin/dokumenti/si/dokumenti/PDV2016_cistopis13102016.pdf

¹³⁶ Pravilnik o evidenci o oškodovancih, izvedenih zaščitah in ukrepih ter sklenjenih sporazumih o odškodninah zaradi škode, povzročene po živalih zavarovanih prosto živečih vrst (Uradni list RS, št. 23/15). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV12374>

10) wolves less were taken from the population than initially planned. Considering the overall population status of wolves in Slovenia, it is not certain if the population trend would still be stable or positive if the culling quotas would have been reached.

5.2.4 Review of court cases regarding wolf culling

A group of NGOs has, since 2012, five times filed a constitutional review initiative at the Constitutional Court regarding the legal arrangement of determining wolf culling quotas. In all cases, the court has dismissed their initiative, stating that the organisations did not provide enough evidence in having a legal interest in this matter¹³⁷. In the last two rulings, it was also noted that the contested act is not under their jurisdiction. The court provided an opinion that the culling quotas are defined by the Annex 2 of the rules (since 2017 replaced by an ordinance), which in detail describe spatial distribution and number of culled wolves and therefore have the characteristics of an individual act and is, therefore, a matter of the Administrative Court.

In 2015, a group of NGOs have brought an action to the Administrative Court against the Ministry of the Environment and Spatial planning and asked the court to dismiss the Annex 2 of the rules, with which the ministry set the culling quota to 7 wolves. The Administrative Court has acceded to the request of the NGOs with a decision in November 2015¹³⁸ and temporarily suspended the implementation of Annex 2 and ruled that the plaintiffs have sufficiently proven their legal interest in this matter. In July 2016, the Administrative Court has issued the judgment in which it acceded to the request of the plaintiffs and annulled the Annex 2 of the rules determining culling quotas for wolf. The court has agreed with the arguments of the plaintiffs that the State has not sufficiently substantiated that the three preconditions for the use of derogations under Article 16 of the Habitats Directive were fulfilled.

With the amendment of the **Decree on protected wild animal species**¹³⁹ in 2016, the government established that the culling quotas will be determined by the governmental ordinance instead of the minister's regulation. In the opinion of the NGOs, this was the reaction to the 2014 Constitutional Court opinion that the rules have the characteristics of an individual legal act which can be contested at the Administrative Court. Soon after the government issued the Ordinance on measures of culling specimens of the brown bear (*Ursus arctos*) and the common wolf (*Canis lupus*) from the wild in 2017¹⁴⁰, the group of NGOs again brought on two legal actions. First, as a matter of a precaution, they again filed an initiative for a constitutional review of the new form of legal arrangement to the Constitutional Court. In March 2017, the Constitutional Court has dismissed their request for constitutional review stating that not all other legal means have been exhausted. However the court noted that also the new form of a legal act had characteristics of a single act and directed the plaintiffs to the Administrative Court¹⁴¹. NGOs have brought an action against the new Ordinance at the Administrative Court, which has issued a new decision on the temporary suspension of the implementation of Annex 2 of the ordinance, so the culling of wolves was stopped at the end of February 2017¹⁴². Before the suspension,

¹³⁷ Decisions of the Constitutional Court U-I-137/04, U-I-316/12 and U-I-165/13, U-I-217/14

¹³⁸ Decision of the Administrative Court I U 1522/2015

¹³⁹ Uredba o spremembah in dopolnitvah Uredbe o zavarovanih prosto živečih živalskih vrstah (Uradni list RS, št. 64/2016). Available at: <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2016-01-2794?sop=2016-01-2794>

¹⁴⁰ Odlok o ukrepu odvzema osebkov vrst rjavega medveda (*Ursus arctos*) in volka (*Canis lupus*) iz narave za leto 2017 (Uradni list RS, št. 3/17). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV12724>

¹⁴¹ Decision of the Constitutional Court U-I-20/17-9. Available at: <http://odlocitve.us-rs.si/documents/62/aa/u-i-20-17.pdf>

¹⁴² <http://zagovorniki-okolja.si/novi-postopki-zaradi-varstva-volka/>

three out of ten proposed wolves have already been culled¹⁴³. Until the final redaction of this report, the final judgment of the Administrative Court has not yet been issued.

Conclusion

Since 2009, yearly culling quotas are used as one of the measures for the management of the population of wolves. Authorities consider this necessary in order to maintain the social acceptability of the presence of wolves in the environment. They believe that all other satisfactory alternatives have been exhausted. On the other hand, scientists and some legal experts are opposing this way of managing species and provide evidence that in their opinion the use of derogations for wolves is not in line with the Article 16 of the Habitats Directive. The opinion of legal experts has been concurred by the Administrative Court which in 2016 first temporarily suspended and then annulled the Annex 2 of the legal act setting the culling quotas. The new act was brought into action at the Administrative Court in 2017 and was with similar substantiation temporarily suspended, but the definitive judgment on this issue has not yet been issued. Despite this, the new ordinance determining culling quota on wolfs has been adopted by the government in December 2017.

5.3 Use of derogations on brown bear

In this analysis, we present the current conservation status of brown bear and the system of culling quotas introduced by Slovenian authorities. In the end, we also summarise court cases on this issue.

5.3.1 Conservation status of brown bear in Slovenia

Slovenia submitted reports on the monitoring of conservation status in accordance with Article 17 of the Habitats Directive in 2007 and 2013. In both reports, **conservation status of brown bear was assessed as favourable**^{144,145}. This is supported by the national monitoring. Some data on brown bear populations are collected by counting bears with a standardised method on the same day and time on designated monitoring points. This does not, however, provide information on the population size, but most certainly on the trends in the population abundance and the social structure of the population. In 2007, the population size of the brown bear was estimated with a new technique of mark-capture-recapture estimate using non-invasive genetic samples from faeces. It was estimated that in 2007 the population consisted between 395-475 individuals¹⁴⁶. Within the project LIFE DINALP BEAR, a new study was conducted using the same methods, allowing to monitor population trends more precisely. The results have shown that in the end of 2015, there were between 533 and 598 brown bears present in Slovenia. This means that in 7 years the population has increased for about 33%¹⁴⁷.

5.3.2 Management of brown bear in Slovenia and culling quotas

¹⁴³ Quarterly report on Culling for the period January – March 2017.

http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/porocilo_rjavi_medved_volk_jan_mar17.pdf

¹⁴⁴ Available at: http://www.zrsvn.si/dokumenti/65/2/2008/hd_porocanje_1216.xls

¹⁴⁵ Available at: http://www.zrsvn.si/dokumenti/65/2/2013/HabitatnaDirektiva_zbirno_porocilo_2013_3433.xlsx

¹⁴⁶ Skrbinšek, T., M. Jelenič, H. Potočnik, P. Trontelj. I. Kos. 2008. Analiza medvedov odvzetih iz narave in genetsko-molekularne raziskave populacije medveda v Sloveniji. Available at:

<http://www.arso.gov.si/narava/%C5%BEivali/ogro%C5%BEene%20in%20zavarovane/Medvedi07-08.Koncno.Genetika.V.1.1.ENOSTRANSKO.pdf>

zaključno poročilo. Zaključno poročilo. I. del: Varstvena genetika in ocena številčnosti medveda 2007.

¹⁴⁷ http://dinalpbear.eu/wp-content/uploads/Sporo%C4%8Dilo-za-javnost_Ocena-%C5%A1tevil%C4%8Dnosti-medvedov-2017.pdf

In Slovenia, the brown bear was protected by the hunting legislation since 1945. Since 2004 it is protected by the *Decree on the protection of wild animals*¹⁴⁸. In 2002, the Government adopted the Brown bear (*Ursus arctos*) management strategy in Slovenia. The action plan adopted for the period 2003-2005 is not any more valid. A revised strategy is now in preparation and is expected to be adopted in 2018.

In the Strategy, the territory of Slovenia is divided into 4 basic “bear” areas: central area (350.000 ha – 17,3% of national territory); marginal area (257.000 ha – 12,7%); transit (corridor) area (312.000 ha – 15,3%); area of exceptional bear presence (1,109.000 ha – 54,7%).

Culling quota is determined each year, based on the expert opinion prepared by SFS on which IRSNC provides an opinion. Culling quotas are determined only for the central and marginal areas, while in the transit area and area of exceptional bear presence only intervention culling due to conflicts is allowed. Culling is allowed between 1 October and 31 December and between 1 January and 30 April in the next calendar year. Culling quotas are specified per “bear” area, area and weight class of the animals (< 100 kg, 100-150 kg and > 150 kg). Overview of the brown bears taken from the population is shown in **Figure 3** below.

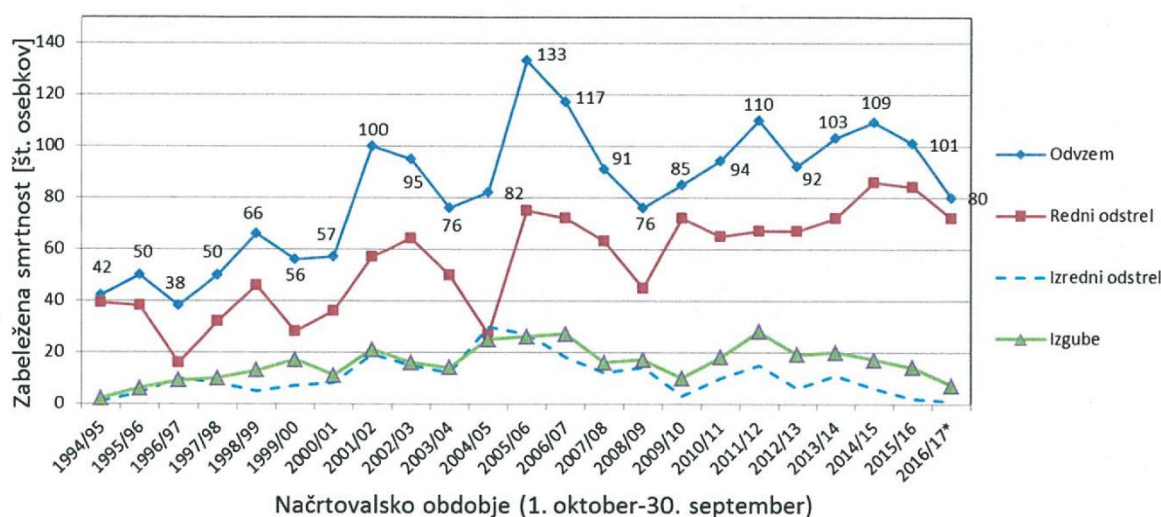


Figure 3. Overview of the brown bears taken from the population. Blue closed line: total animals taken; Red closed line: regular culling, Blue dotted line: intervention culling, Green closed line: losses due to different kinds of reasons (mostly accidents in traffic). Taken after ZGS, 2017¹⁴⁹

5.3.3 Review of derogations on brown bears

We reviewed the last expert opinion of SFS, issued in 2017¹⁵⁰.

In this overview, we follow the structure of the Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC¹⁵¹. Article 16 sets three preconditions, all of which must be complied with before granting a derogation:

¹⁴⁸ Uredba o zavarovanih prosto živečih živalskih vrstah (Uradni list No. 46/04, 109/04, 84/05, 115/07, 32/08 – odl. US, 96/08, 36/09, 102/11, 15/14 in 64/16). Available at: <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED2386>

¹⁴⁹ ZGS, 2017. Strokovno mnenje za odvzem velikih zveri iz narave v obdobju 1.10.2017 do 30.9.2018. Available at: http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/strokovno_mnenje_odstrel_zveri_2017_2018.pdf

¹⁵⁰ ZGS, 2017. Strokovno mnenje za odvzem velikih zveri iz narave v obdobju 1.10.2017 do 30.9.2018. Available at: http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/strokovno_mnenje_odstrel_zveri_2017_2018.pdf

Test 1: The demonstration of one or more of the reasons listed in Article 16(1) (a)-(e),

Test 2: The absence of a satisfactory alternative and

Test 3: The assurance that a derogation is not detrimental to the maintenance of populations at a favourable conservation status.

Before the second and third preconditions can be examined, precondition one must be met¹⁵².

Test 1: The demonstration of one or more of the reasons listed in Article 16(1) (a)-(e),

Like for wolves, also for brown bears culling quotas are determined using the reason listed under the Article 16(e) of the Habitats Directive, allowing the selective and limited taking of animal species. In the opinion of the SFS, this is needed to balance the bear population in the environment with respect to the social acceptability of their presence. In their opinion, selectively removing problematic or habituated bears would also reduce damage and make people feel safer and therefore increase their tolerance to bears. In the expert opinion, this is not supported by scientific evidence.

Test 2: The absence of a satisfactory alternative

SFS is concluding that culling is not the only measure which can be taken and that conflicts can be reduced by several other measures which are being introduced to the brown bear management in the last few years. Since 2015, livestock breeders have a possibility to get compensation (through RDP 2014-2020) for increased workload because of taking preventive measures to prevent depredation of livestock (fencing animals at night, guard dogs). The state is co-financing purchase of electric fences. In LIFE DINALP BEAR project, they have developed bear-proof garbage and compost bins, which are now used in test areas. In the opinion of SFS, these measures are presented as satisfactory alternatives.

Test 3: The assurance that a derogation is not detrimental to the maintenance of populations at a favourable conservation status

SFS is concluding that the population of the brown bear is in the favourable condition. Recent data on monitoring (which were not yet available when the opinion was issued) confirm that the population is stable and increasing. Therefore, it is unlikely that the area of occurrence of bear would decrease and there is a good chance that the habitat of the species will be sufficient for long-term maintenance of the population.

For the period from 1 October 2017 to 30 September 2018, SFS proposed to allow culling (both regular and intervention) of 85 bears in the central and marginal areas, and additionally, one bear in the transition zone and 2 bears in the areas where species are occurring exceptionally. They estimate that in the same period 20 bears would be lost from the population due to collisions or other accidents. This more or less corresponds to the estimated number young animals born in a year.

In their position paper, IRSCN has agreed with the proposal of SFS noting that there are other alternatives to culling, but they are not sufficient¹⁵³. The question is, however, if the state could better promote these alternatives, which have already proven to be effective.

¹⁵¹ Available at: http://ec.europa.eu/environment/nature/conservation/species/guidance/pdf/guidance_en.pdf

¹⁵² Page 54 of the Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC

¹⁵³ Available at:

http://www.mop.gov.si/fileadmin/mop.gov.si/pageuploads/podrocja/velike_zveri/pisno_stalisce_zrsvn_odstrel_17_18.pdf

The ordinance determining culling quotas for the hunting period 2017/2018 was adopted in mid-December¹⁵⁴. In the final adopted ordinance, the culling quota is set higher than in the expert proposal of SFS. Culling quota (regular and intervention) of 107 individuals is foreseen and 25 of predicted losses due to other causes of mortality. At the beginning of October, results of the genetic counting were published, and these data were taken into account for the final decision (LIFE DINALPBear)¹⁵⁵.

5.4 Use of derogations on birds

Derogations on birds are in most cases used for research purposes and each year a few permits are issued to cull protected bird species at the Ljubljana airport to ensure air safety.

The only relevant derogation in case of birds is regarding Great cormorant (*Phalacrocorax carbo*), which is overwintering in Slovenia. In the last decades, the population of overwintering birds was steadily increasing. Where cormorants form dense groups on large rivers, they locally consume large amounts of fish, which is proven to affect their populations. This issue is not addressed by PUN 2015-2020. Therefore, in 2017 the government adopted a **Long-term program for reducing the impact of cormorant on fish in inland waters (2017–2027)**¹⁵⁶. This document provides the basis for measures, which could involve scaring cormorants away from key fish areas and also impose culling quotas. At the end of September 2017, Slovenian Environment Agency issued a permit for the period of five years for scaring away and culling up to 139 cormorants per year between 1 September and 28 February¹⁵⁷. The Slovenian Bird Association has appealed to MOE regarding this decision, but in November 2017 the appeal was rejected¹⁵⁸.

¹⁵⁴ Odlok o ukrepu odvzema osebkov vrst rjavega medveda (*Ursus arctos*) in volka (*Canis lupus*) iz narave za obdobje do 30. septembra 2018. Uradni list RS, št. 72/2017. Available at: https://www.uradni-list.si/_pdf/2017/Ur/u2017072.pdf

¹⁵⁵ LIFE DINALPBear oktober 2017: <http://dinalpbear.eu/najnovejsa-ocena-stevilcnosti-populacije-medveda-v-sloveniji/>

6. Overall strategy for reaching the favourable conservation status

In this chapter, we present the current status of the national biodiversity policy planning, which is needed to achieve the favourable conservation status also outside of the Natura 2000 network.

6.1 Introduction

The aim of the Habitats Directive is to achieve the favourable conservation status of species and habitat types listed on its Annexes. The Birds Directive has very similar aim for all naturally occurring wild birds. One of the main instruments for achieving this status is the Natura 2000 network of protected areas. The criteria for selection and delimitation of the Natura 2000 network require MS to designate a representative part of habitat types and important habitats of species. Slovenia has designated a representative Natura 2000 network and aims to reach the favourable conservation status through the management of Natura 2000 network.

For those species on the Annexes of the Habitats Directive for which there is no obligation to designate Natura 2000 sites, there are protection measures prescribed in provisions of Articles 12 to 16 of the Directive. There are similar provisions for naturally occurring wild birds, not subject to Natura 2000 designation in the Birds Directive. Slovenia has transposed these provisions into its legislation and is implementing them, thus aiming to achieve of favourable conservation status for these species as well.

These instruments are on the national level complemented with national nature conservation and biodiversity policies. These policies are based on site and species protection provisions, which are set in the Nature Conservation Act and are legally binding. Site protection is based on ecologically important areas, natural values sites and protected areas. Species protection is based on protection of specimens of protected species and on conservation of their habitat. These are complemented with strategies and action plans, adopted for a limited period, and described below.

6.2 National biodiversity policy planning

Since 2004, Slovenian administration has put a lot of effort in establishing and managing the Natura 2000 network. The network is extensive, **the largest in the whole EU**, and requiring coordination of several sectors and stakeholders in order to secure favourable conservation status of species and habitats. In the same period, the parts of nature conservation not directly necessary for the implementation of the EU biodiversity directives were stagnating. The National Biodiversity Strategy was made for the period 2001-2011¹⁵⁹. The analysis of its implementation conducted in 2012 has shown that it was not fully implemented. Strategy has foreseen the adoption of an action plan which would detail the strategy. The National Environmental Action Plan has foreseen adoption of an action plan for the Natura 2000 network and for natural values. The action plan for Natura 2000 has been adopted in 2007, while the action plan for natural values has not been adopted.

In 2014, MOE started a process of preparing a new strategy, but it soon stopped¹⁶⁰, so at the end of 2017 a valid overall national biodiversity policy still does not exist. MOE decided to include national biodiversity policy measures into the new national Nature Conservation Programme that is being prepared. At the same time, protection of natural features, species and habitats which are not having European importance but may even be endemic and present only in Slovenia receive little or no attention in terms of monitoring, action plans and programming documents, but they receive legal

protection given through the legal status of natural features, protected areas, protected species and cave protection.

6.3 National Nature Conservation Programme

Environmental Protection Act provides the basis for adoption of the **National Environmental Action Programme (NEAP)**. A part of this programme, which is the highest level document adopted by the parliament, is the **National Nature Conservation Programme (NNCP)**. According to Article 94 of the Nature Conservation act, NNCP defines the extent of public interest for the conservation of nature and protection of valuable natural feature. NNCP should include goals and measures for: (i) conservation of biodiversity with a programme of conservation of plant and animal species, their habitats and ecosystems, (ii) protection of valuable natural features, with a program on the establishment of new protected areas and restoration of natural features, (iii) ways of complying with international commitments, (iv) education and training on nature conservation, (v) awareness raising on nature conservation, (vii) ensuring financial resources for implementation of tasks and activities in nature conservation. These issues can be further defined in the operational programmes, which are adopted by the government.

NEAP was adopted in 2005, covering the period of 2005-2012. The new programme is only now under preparation and has not yet been adopted.

7. Monitoring and reporting

7.1 Monitoring of Natura 2000 target species and habitats

The monitoring of the conservation status of species and habitats is essential to provide scientific information necessary to assess the effectiveness of management measures. In the assessment of the achievement of the goals of the National Biodiversity Strategy in 2012 it was concluded that monitoring of biodiversity is still in the early stages of development¹⁶¹.

Overview of monitoring conducted so far on different taxonomic groups is provided in **Table 9**¹⁶². The analysis has shown that in 2017 still no monitoring is set up for Annex I non-forest habitat types and Annex II species of higher plants, ferns, mosses and dragonflies. Monitoring of target species which are only on the Annex IV of the HD, but not on the Annex II has not yet been set up. The current PUN 2015-2020 is providing in Annex 6.5 an extensive list of necessary research and monitoring needs¹⁶³, so in principle the need for extending the current monitoring is clearly recognised. However, the progress since the adoption of PUN 2015-2020 is slow and it is questionable if all the proposed research and monitoring can be developed in the last three years of the implementation of the programme.

Interpretation of the Art. 11 of the Habitats Directive by the European Commission, that there has to be monitoring for all species and habitat types subject to reporting (including Annex V species), presents larger cost increase for Slovenia, where many of these species are widespread. National funds at the moment are not enough to cover this.

Table 9. Overview of status of monitoring of habitat types and species (status of December 2017).

Taxonomic group	Number of relevant species	Number of species for which monitoring was conducted in certain years
Birds		
Target species of birds	41	2004-2017
Indicator birds in agricultural landscape	7	2006-2017
Wintering birds	18	1997-2017
Annex II target species		
Brown bear	1	2003-2017 (observations), 2007-2008 and 2014-2015 (genetics)
Wolf	1	2010-2012, 2015, 2016, 2017 (howling), 2010-2013, 2015/16 and 2016/2017 (genetics)
Lynx		1991-2016 (partial – indirect)
Bats	10	2007-2017
Reptiles	3	0
Amphibians	6	2011(4), 2015 (4), 2017 (1)
Fish	29	31(2008), 4(2013), 2 (2014), 1(2015)
Crayfish	2	2 (2010-11,2014-15)
Butterflies	12	9 (2009), 4 (2010), 2(2012), 2(2013), 6(2014 -2015), 6 (2016-17)
Beetles	11	5 (from 2007 on), additional 1 (from 2009 on), additional 1 (from 2013 on)
Dragonflies	4	0
Molluscs	5	4(2008-2009), 4 (2010-2011)

¹⁶¹ Kus Veenvliet, 2012

¹⁶² Available at: <http://www.natura2000.si/index.php?id=211>

¹⁶³ Annex 6.5 of PUN 2015-2020: Monitoring and research, Available at: http://www.natura2000.si/fileadmin/user_upload/pun_2016_6_5.xlsx

Taxonomic group	Number of relevant species	Number of species for which monitoring was conducted in certain years
Higher plants	23	1 (206-17-partially)
Ferns	2	0
Moss	4	0
Annex IV and V species which are not also on Annex II		
Mammals	28	18 (2007-17)
Reptiles*	15	0
Amphibians*	10	0
Fish	1	0
Butterflies	6	0
Dragonflies	2	0
Grasshoppers	1	0
Crayfish	1	0
Molluscs	6	0
Leeches	1	0
Plants	11	0

7.2 Reporting

Coordination and preparation of Art. 12. BD and Art. 17 HD reports is a task of the IRSCN. This task includes care for unified assessment and evaluation methods, implemented by IRSCN's experts and external experts from universities, institutes and NGOs. The Art. 17 HD report is largely prepared by the IRSCN's experts and consulted with external experts. The Art. 12. BD report is prepared by DOPPS BirdLife Slovenia, IRSCN only checks it. The process of preparation of reports is very important due to exchange of information among experts, approximation of different views and exchange of good practice. Within this process, key expert stakeholders are informed about the state of the Natura 2000 network, it serves as a kind of informal public consultation and approximation of the findings in the reports.

Slovenia has a very extensive Natura 2000 network and many species and habitat types to report on. Therefore, preparation of these reports is a time consuming and costly process. Art. 17 HD reporting will in 2019 require the fulfilment of 416 forms, Art. 12 BD reporting of 271 forms. This requires additional 2 FTE in one year. Because there are not many experienced experts, this task takes also substantial worktime of IRSCN's senior experts, meaning that some other tasks have to wait. Engagement of external experts is estimated to at least 1200 working hours. We estimate BirdLife Slovenia's engagement for the Art. 12 WBD reporting to additional 0,59 FTE. These funds are not secured yet.

8. Communication

A public survey carried out in 2009 has shown that among environmental issues, nature conservation ranks lower than several other issues: priority is given to water, air, waste, soil and climate change¹⁶⁴.

The Eurobarometer public opinion survey shows that population of Slovenia is aware of issues addressed by the Birds and the Habitats Directives. **The public awareness of the Natura 2000 network** in Slovenia is high (**62 % in 2013**, which is more than double the European average) and rising (2007: 46 %, 2010: 55 %). When asked about the efforts to help preserve biodiversity, 92 % respondents in Slovenia say they make personal efforts, this being the highest rate in the EU and still rising^{165,166}. The public support in Slovenia to further expand the protected area network in the EU is high (86 %¹⁶⁷).

General public in Slovenia does not see Natura 2000 as a general obstacle for development¹⁶⁸. Media reports regarding the EU nature legislation are mostly neutral. Namely, media analysis of articles, mentioning the two directives carried out in 2006-2007, shows that reports were neutral in all cases. Of all articles mentioning Natura 2000, 16 % of reports published in mass media were favourable, 81 % neutral and 3 % unfavourable, shows the same analysis¹⁶⁹. The recent analysis of articles in national, regional and local media mentioning Natura 2000, carried out for 2014, shows that 72 % articles mentioning Natura 2000 were favourable, 21 % neutral and 7 % negative¹⁷⁰. One should add, however, that the above reflects the public opinion which is a result of a comprehensive communication strategy that was conducted as part of the designation of the Natura 2000 sites at the time when Slovenia was joining the EU¹⁷¹. In 2006-2007, an EU funded project of communication support to Natura 2000¹⁷² was carried out. Since then a similar campaign was not repeated, although it might be very beneficial.

Since 2004, a monthly bulletin eNatura is published, distributed to approx. 2000 addresses in Slovenia (government bodies, municipalities, NGO's, professionals etc), and government bodies in Croatia and Serbia. The website www.natura2000gov.si is regularly updated. Regarding the designation process, professionals, mostly landscape planners and town planners, have released several critical public letters. They pointed out that the public has been informed, but was not given the opportunity to participate in the decisions¹⁷³. From their perspective, Slovenia designated certain Natura 2000 sites even though the Habitats directive offered an exemption. They perceived planning and permission process for development in and close to Natura 2000 as challenging and time-consuming.

¹⁶⁴ Nose Marolt Mateja: Sodelovanje javnosti pri doseganju ciljev omrežja Natura 2000 in izvajanju Vodne direktive / Public participation in achieving the Natura 2000 network objectives and in the implementation of the water framework directive (master thesis), Univerza v Ljubljani, Biotehniška fakulteta, Ljubljana, 2014. Available at: http://www.digitalna-knjiznica.bf.uni-lj.si/gozdarstvo/md_nose_marolt_mateja.pdf

¹⁶⁵ Ibid.

¹⁶⁶ Flash Eurobarometer 379: Attitudes towards biodiversity Available at: http://ec.europa.eu/public_opinion/flash/fl_379_en.pdf

¹⁶⁷ Ibid.

¹⁶⁸ Nose Marolt, 2014

¹⁶⁹ Strengthening implementation of Natura 2000 in Slovenia – Communication support to implementation of Natura 2000 – final report in Slovenian language, Ljubljana, 2007, page 86,

http://www.natura2000.gov.si/uploads/tx_library/Komunikacijska_podpora_Natura.pdf

¹⁷⁰ ZRSVN, 2015. Medijske objave v letu 2014, Zavod RS za varstvo narave, Ljubljana, unpublished document

¹⁷¹ Hlad, B. Communicating the Concept of Natura 2000 in Slovenia. Available at:

http://www.natura2000.si/uploads/tx_library/BrankaHladValsain.pdf; Ogorelec, B. 2008: How Slovenia achieved high recognition of Natura 2000. Available at:

http://www.natura2000.si/uploads/tx_library/Ogorelec_Communication_Support_to_Natura_2000_in_Slovenia_2008.pdf

¹⁷² Polak, Š, Ogorelec, B, 2014: Natura 2000. Available at:

http://www.natura2000.si/fileadmin/user_upload/novice/Zbornik_PRSS_Natura_2000.pdf

¹⁷³ Simoneti, M. 2004: Natura 2000 - Evropski kriteriji za varstvo narave, kaj pa za sprejemanje odločitev? Available at: <http://trajekt.org/arhiv/?tid=1&id=187>