



Work Package 6 “*Legislation*”

# THE LEGAL FRAMEWORK OF PROTECTED AREAS IN THE ALPINE STATES

Slovenia

Bolzano/Bozen, August 2009



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## 1 GENERAL POINTS

### 1.1 Organisation of the State

According to the Article 4 of the Slovene Constitution, „Slovenia is a territorially unified and indivisible state”. Under the Constitution, Slovenia is a democratic republic and a social state governed by law. The state’s authority is based on the principle of the separation of legislative, executive and judicial powers, with a parliamentary system of government. As regards the organisation of the State, the Constitution was recently amended by the **Constitutional Act Amending Articles 121, 140 and 143 of the Constitution of the Republic of Slovenia**<sup>1</sup>.

Tab. 1: Relevant articles in the Slovenian Constitution before and after the reform process.

Articles of the Constitution	Now (After the Constitutional Reform)	Before the Constitutional Reform
Article 121	<p><b>Public authorities :</b> <u>Legal entities and natural persons</u> may be vested by law or on the basis thereof with the public authority to perform certain duties of the state administration”</p>	<p>„Duties of Administrative Bodies: Duties of the state administration are performed directly by ministries. Self-governing communities, enterprises, other organisations and individuals may be vested by law with public authority to perform certain duties of the state administration”.</p>
Article 140	<p>„Scope of Local Self-Government The competencies of a municipality comprise local affairs which may be regulated by the municipality autonomously and which affect only the residents of the municipality. <u>The state may by law transfer to municipalities the performance of specific duties within the state competence if it also provides financial resources to enable such.</u></p> <p>State authorities shall supervise the proper and competent performance of work relating to matters vested in the local community bodies by the state”.</p>	<p>The competencies of a municipality comprise local affairs which may be regulated by the municipality autonomously and which affect only the residents of the municipality. With the prior consent of the municipality or wider self-governing local community, the state may by law vest specific duties within the state jurisdiction in the municipality or wider self-governing local community, if the state provides financial resources for this purpose. State authorities shall supervise the proper and competent performance of work relating to matters vested in the local community bodies by the state”</p>
Article 143	<p>„<u>Region</u> A region is a self-governing local community that manages local affairs of wider importance, and certain affairs of regional importance provided by law. Regions are established by a law which also determines their territory, seat, and name. Such law is adopted by the National Assembly by a two-thirds majority vote of deputies present. <u>The participation of the municipalities must be guaranteed in the procedure for adopting the law.</u></p> <p><u>The state transfers by law the performance of specific duties within the state competence to the regions and must provide to them the necessary financial resources to enable such”.</u></p>	<p>„Wider Self-Governing Local Communities Municipalities may independently decide to join into wider self-governing local communities, as well as regions, in order to regulate and manage local affairs of wider importance. In agreement with such communities, the state may transfer specific matters within the state competence into their original competence and determine the participation of such communities in proposing and performing particular matters within the state competence.</p> <p>The principles and criteria regarding the transfer of competence from the preceding paragraph are regulated by law”.</p>

<sup>1</sup> Constitutional Act Amending Articles 121, 140 and 143 of the Constitution of the Republic of Slovenia, adopted on 20 June 2006 and entered into force on 27 June 2006 (Official Gazette of the Republic of Slovenia, No. 68/06).

## 1.2 Legislative and executive

### 1.2.1 The legislative

National Assembly: 90 deputies (88 elected representatives of the parliamentary parties and one representative each from the Italian and Hungarian national communities).

The highest legislative authority is the National Assembly (90 deputies), which has the right to enact laws. Elections to the National Assembly are held every four years.

### 1.2.2 The executive

The Government consists of the Prime Minister and other Ministers. The government and the ministers are independent within the framework of their jurisdiction, and responsible to the National Assembly.

Government: Prime Minister, 15 Ministers, 3 Ministers without Portfolio (from 21.11.2008).

### 1.2.3 A specific institution: the National Council

National Council: 40 elected representatives of employers, employees, farmers, tradesmen and the self-employed, as well as from the non-economic sector and local interest groups. According to the Constitution, the National Council of the Republic of Slovenia is the representative body for social, economic, professional and local interests. It is composed of:

- representatives of labour and social interests (functional interests)
- representatives of local interests (territorial interests).

The powers of the National Council are laid down in the **article 97 of the Slovene Constitution**. The National Council has a **legislative Initiative**. It may propose to the National Assembly to adopt certain laws or amend certain legal provisions. The council's role as provider of initiatives is an important one within the legislative process. These proposals comprise initiatives and requests made by members, and proposals made by the National Council's committees and interests groups.

## 1.3 Status of International Treaties and European Community Law

### 1.3.1 International Law

**Article 8 of the Slovene Constitution:** „Laws and regulations must comply with generally accepted principles of international law and with treaties that are binding on Slovenia. Ratified and published treaties shall be applied directly”.

**Article 153 of the Slovene Constitution: (Conformity of Legal Acts):** „Laws, regulations and other general legal acts must be in conformity with the Constitution. / Laws must be in conformity with generally accepted principles of international law and with valid treaties ratified by the National Assembly, whereas regulations and other general legal acts must also be in conformity with other ratified treaties. / Regulations and other general legal acts must be in conformity

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with the Constitution and laws. / Individual acts and actions of state authorities, local community authorities and bearers of public authority must be based on a law or regulation adopted pursuant to law”.

Ratification of treaties: according to **article 86 of the Slovene Constitution**, „[the] National Assembly adopts laws and other decisions and ratifies treaties by a majority of votes cast by those deputies present, save where a different type of majority is provided by the Constitution or by law”.

### 1.3.2 European Law

For all Member States: obligation on administrations and national courts to apply Community law in full within their sphere of competence and to protect the rights conferred on citizens by that law (**direct application of Community law**), and to disapply any conflicting national provision, whether prior or subsequent to the Community provision (**primacy of Community law over national law**).

## 2 NATURE PROTECTION AND SPATIAL PLANNING

### 2.1 Preservation of mountain areas and the law

There is no specific law on preservation of mountain areas. Slovenia did not develop specific regulations, policies and programs for conservation and sustainable use of biological diversity in mountain ecosystems. The mountain areas are protected through the existing laws in different fields: Environment Protection Law, National Environmental Action Program, Nature Conservation Law, Biodiversity Conservation Strategy, Forestry Law, National Forest Development Programme, Agri-environmental Programmes, and Water Law.

The Alpine Convention entered into force in 1995 in Slovenia and all the Protocols of the Alpine Convention entered into force in Slovenia in 2004.

### 2.2 Distribution of power and legislative competencies

#### 2.2.1 Nature protection

The competences of the State and local communities in the field of nature protection are laid down in the **Article 8 of the Nature Conservation Act**:

„(1) *The regulation of issues concerning biodiversity conservation and protection of valuable natural features shall fall within the competence of the State, with the exception of issues of local importance concerning the protection of valuable natural features, which fall within the competence of a local community.*

(2) *The issues of local importance referred to in the preceding paragraph shall be:*

- programming and planning in the field of protection of valuable natural features of local importance;

- the adoption of measures for the protection of valuable natural features of local importance;
  - the provision of local nature conservation public services;
  - the popularisation of the protection of valuable natural features of local importance.
- (3) *Notwithstanding the provision of the preceding paragraph, the State shall take action if the existence of a valuable natural feature of local importance is threatened*".

### 2.2.2 Spatial planning

The competences concerning spatial planning are laid down in the **Spatial Planning Act (ZPNacrt)**<sup>2</sup>. According to **article 11 of the Spatial Planning Act**:

„(1) The state is competent for:

1. target setting for spatial development of the state,
2. determining references and guidelines for planning spatial arrangements at all levels,
3. planning spatial arrangements of national importance, and
4. supervision of the legality of spatial planning at the municipal level.

(2) The municipality is competent for:

1. determining references and guidelines for the spatial development of the municipality,
2. determining the use of space and conditions for placing interventions in space, and
3. planning spatial arrangements of local importance".

### 2.3 Legal Framework of Nature Protection<sup>3</sup>

The general obligation of preserving natural values is set in **Article 5 (States Objectives)** and **Article 73 (Protection of Natural and Cultural Heritage)** of the Slovenian Constitution.

**Article 5, paragraph 1,:** „*In its own territory, the state [...] provide for the preservation of the natural wealth and cultural heritage*".

**Article 73:** „(1) *Everyone is obliged in accordance with the law to protect natural sites of special interest, rarities and cultural monuments.*

(2) *The state and local communities shall promote the preservation of the natural and cultural heritage*".

In Slovenia, the field of biodiversity conservation is rather well regulated by statutory acts, in particular the **Nature Conservation Act** but also with the **Environmental Protection Act**. The key executive acts concerning biodiversity conservation are the **Decree on threatened plant and animal species**, the **Decree on the protection of endangered animal species**, the **Decree on the protection of endangered plant species**, the **Decree on habitat types**, the **Decree on ecologically important areas**, . Some provisions are embedded in legislation of other sectors, e. g. regarding forestry, fishing, hunting... The financial support for the conservation of agricultural biodi-

<sup>2</sup> Spatial Planning Act (ZPNacrt), Official Gazette of RS, no. 33/2007.

<sup>3</sup> Quote: Andrej BIBIC, *Operational Programme 2007-2013*, Natura 2000 Site Management Programme.

versity is regulated by the **Agriculture Act**. The regulations concerning the establishment of protected areas and the designation of their management authorities therefore play a significant role in the conservation of biodiversity. Such national regulations are the Triglav National Park Act, the Trebce Memorial Park Act (renamed by the Nature Conservation Act into Kozjansko Park), the Kocjanske jame Regional Park Act, the Skocjanski zatok Nature Reserve Act, the Decree on Sečovlje soline Landscape Park, Landscape Park Goricko and Landscape park Ljubljansko barje. At the municipal level, for instance, the Ordinance on the designation of Zelenci Nature Reserve was adopted<sup>4</sup> and Regional park Cerknisko jezero.

The **Environment Protection Act (Zakon o varstvu okolja, hereinafter ZVO-1)** (*Official Gazette of the Republic of Slovenia, No. 39/06 - official consolidated version, 49/06 - ZmetD, 66/06 - judicial decision of the Constitutional Court of the Republic of Slovenia, and 33/07 - ZPNačrt*) provides a systematic framework for nature conservation, of which biodiversity conservation is a fundamental part. The **Environment Protection Act (ZVO-1)** thus regulates the protection of the environment from overburdening as a fundamental condition for sustainable development, and within this framework it provides basic principles of environmental protection, environmental protection measures, monitoring of the state of the environment and information on the environment, economic and financial instruments for environmental protection, public environmental protection services, and other issues related to environmental protection. The purpose of environmental protection is to promote and guide the kind of social development that will ensure long-term conditions for human health, well-being and quality of life, as well as the preservation of biodiversity.

Nature conservation remains inextricably embedded into the system of environmental protection, through joint planning and programming, joint environmental assessment procedures, joint environmental monitoring, environmental data publicity, access to environmental data, environmental taxes on the use of natural resources, nongovernmental organisations for environmental protection acting in the public interest, and the regulation of concessions on natural resources. The **Environment Protection Act (ZVO-1)** thus provides for a joint national environmental protection programme, which also encompasses a **national programme on nature protection**<sup>5</sup>. The National Assembly of the Republic of Slovenia adopted the programme jointly with the **Resolution on the National Environmental Action Plan 2005-2012** and, based on long-term objectives, policies and biodiversity protection tasks, has drafted an operational programme for the management of Natura sites as one of the key programmes for environmental protection.

Operational programmes for environmental protection are identified in **Article 36 of ZVO-1**. They are adopted by the Government of the Republic of Slovenia (hereinafter: Government) pursuant to the procedure defined in **Article 37 of the Environment Protection Act (ZVO-1)**.

The **Nature Conservation Act (Zakon o ohranjanju narave, hereinafter ZON)** (*Official Gazette RS, No. 96/04 - official consolidated version ZON-UPB2*) establishes an **integrated system of nature conservation**, the purpose of which is the protection of valuable natural features and the

<sup>4</sup> Quote: National Strategy on Biodiversity.

<sup>5</sup> Provisions regarding the National nature protection programme are laid down in the article 94 of the Nature Conservation Act. Furthermore according to the Article 95 of the Nature Conservation Act, “[the] Local communities shall adopt programmes for the protection of valuable natural features of local importance in their territory” and “[these] programmes [...] shall not be contrary to the national programme” adopted according to the Article 94 of the Nature Conservation Act.

conservation of biological diversity. It identifies subjects of protection; methods and measures for their protection; organisation, financing, programming and planning of nature protection; and other content necessary for effective nature protection. Subjects of protection in biodiversity conservation which are identified or identifiable by area include habitat types whose maintenance at a favourable status shall be given priority, as well as habitats of nationally and internationally protected species, ecologically important areas and special protected areas (Natura 2000 sites) which form the European ecological network. Subjects of protection also include threatened, protected and internationally protected wild plant or animal species. All subjects of protection are defined under the relevant implementing regulation, act by the minister responsible for nature protection, and Government decree.

## 2.4 Legal Framework of Spatial Planning

### Spatial Planning Act

According to the article 13, paragraph 3, of the Spatial Planning Act, „*Spatial planning documents are national, municipal and inter-municipal spatial planning documents*”.

- National spatial planning documents are the national strategic spatial plan and national spatial plan.
- Municipal spatial planning documents are the municipal spatial plan and municipal detailed spatial plan. A municipality can adopt the strategic part of a municipal spatial plan as a municipal strategic spatial plan, which is thus an independent municipal spatial planning document.
- An inter-municipal spatial planning document is a regional spatial plan.

## 2.5 Protected areas in the legislation on Nature protection

There are different categories of protected areas in Slovenia and it can be also distinguished between the small and the large protected areas.

### The small protected areas:

- Natural monument ( *Naravni spomenik*): Article 64 Nature Conservation Act (IUCN equivalent: III)
- Strict Nature reserve ( *Strogi naravni rezervat*): Article 65 Nature Conservation Act (IUCN equivalent: I)
- Nature reserve ( *Naravni rezervat*): Article 66 Nature Conservation Act (IUCN equivalent: I or IV)

### The large protected areas:

- National park ( *Narodni park*) Article 69 Nature Conservation Act (IUCN equivalent: II)
- Regional park ( *Regijski park*): Article 70 Nature Conservation Act (IUCN equivalent: V)
- Landscape park ( *Krajinski park*): Article 71 Nature Conservation Act (IUCN equivalent: V)

Article 67 of the Nature Conservation Act laid down the objectives of the large protected areas and precises also that „ *[small] protected areas protected areas may be established within large*

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protected areas". A general protection regime for the large protected areas is also laid down in the **article 68**. The areas according to the Habitats and Birds Directives are designated as „special protected areas" But Natura 2000 areas are not an automatic part of the protected areas system. They are esignated separately and can be part of a protected area.

## 2.6 Legal provisions as regards ecological connectivity

### 2.6.1 European Law (The provisions of the Habitats directive)<sup>6</sup>

The **Habitats Directive**<sup>7</sup> intends to create an ecological network through Europa. The provisions of the **article 10 of this directive** contain measures for improving the ecological coherence of the ecological network. This disposition is like a recommendation:

*„Member States shall endeavour, where they consider it necessary, in their land-use planning and development policies and, in particular, with a view to improving the ecological coherence of the Natura 2000 network, to encourage the management of features of the landscape which are of major importance for wild fauna and flora. / Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems for marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species".*

According to the Guidance on the maintenance of landscape connectivity features of major importance for wild flora and fauna<sup>8</sup> elaborated at the european level for improving the coherence of the Natura 2000 Network, it is clear from the texts of the Habitats directive that the interpretation of the concept of „coherence" is a key issue affecting the implementation of directives. When considering the ecological coherence of Natura 2000, it is important to note that the completed Natura 2000 network, defined by the Habitats directive as the sum of all areas designated for conservation under the Birds and Habitats directives (**Article 3.1 of the Habitats directive**), is a collection of individual protected sites In order for these protected sites to actually form an ecologically coherent network then necessary functional connections amongst the sites and their surroundings must be maintained. Therefore management measures may need to go beyond the designated sites' boundaries and apply to the wider environment.

<sup>6</sup> For further informations about the implementation of the Habitats Directive in Germany, see the last National report made by Germany according to article 17 of the Habitats Directive.

<sup>7</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora OJ L 59, 8.3.1996, p. 63.

<sup>8</sup> KETTUNEN Marianne, TERRY Andrew, TUCKER Graham and JONES Andrew, Guidance on the maintenance of landscape connectivity features of major importance for wild flora and fauna. Guidance on the implementation of Article 3 of the Birds Directive(79/409/EEC) and Article 10 of the Habitats Directive (92/43/EEC), Institute for European Environmental Policy, August 2007.

## 2.6.2 Slovene Law

The obligations resulting from the **Birds and the Habitats Directives** have been transposed into the Slovenian legal order in their entirety, jointly with the regulations on nature conservation. The recommendations of the article 10 of the Habitats Directive are also laid down in the **Article 33, paragraph 4, of the Nature Conservation Act**. There is no provision concerning the creation of an ecological network like in the German law, but are the aims and goals of ecological network reached through different provisions of the Nature Conservation Act (ZON) that relate also to the ecological connectivity:

- **Article 32 about the ecologically important areas (*ekološko pomembno območje*):**
  - „(1) Ecologically important area shall be the area of a habitat type, its part or large ecosystem unit which significantly contributes to biodiversity conservation.
  - (2) *The ecologically important areas referred to in the preceding paragraph shall be:*
    1. *the areas of habitat types which are with regard to the biotic characteristics exceptionally diverse or well preserved where there are habitats of endangered or endemic plant or animal species and habitats which are internationally important according to the criteria of the ratified international treaties or which in any other way contribute to biodiversity conservation;*
    2. *the areas of a habitat type or large ecosystem unit which significantly contribute to the maintenance of natural balance by being evenly biogeographically distributed with regard to other ecologically important areas and by composing an ecological network;*
    3. *the habitats of the species referred to in Article 26;*
    4. *animal migration routes; and*
    5. *areas which significantly contribute to the genetic flow between the populations of plant or animal species.*
  - (3) Ecological network is a system of interconnected ecologically important areas or areas close to one another that through an even biogeographical distribution significantly contribute to the maintenance of natural balance and consequently biodiversity conservation.
  - (4) The Government shall specify ecologically important areas and ensure their protection through the measures for the protection of valuable natural features taken pursuant to the law.
  - (5) The rules of conduct, protection regimes or development orientations specified in the documents issued pursuant to the preceding paragraph shall be the mandatory basis for spatial planning and use of natural assets”.
- **Article 35 about the landscape (*krajina*):**
  - „(1) *Landscape shall be a spatially explicit part of nature with specific distribution of landscape components resulting from the characteristics of living and non-living nature and human activity.*
  - (2) *Landscape diversity shall be a spatial composition of natural and anthropogenic landscape elements.*

(3) Landscape diversity and those landscape features which are important for biodiversity conservation shall be conserved, developed and restored.

(4) Activities affecting the physical space shall be planned and carried out in such a way that the conservation of landscape features referred to in the preceding paragraph and of landscape diversity are given priority.

(5) The Government shall specify the landscape features and landscape diversity important for biodiversity conservation and the guidelines for conserving biodiversity in a landscape which have to be taken into account in the spatial planning and use of natural assets”.

• **Article 36 about the agglomerations:**

„(1) *In agglomerations biodiversity shall be conserved in such a way that:*

- *the connection between habitats in agglomerations and nature outside such areas is fostered if that is technically feasible and does not incur excessive costs;*
- *green areas, trees, groups of trees, still and running waters and other habitats are conserved;*
- *in the construction of plants and facilities such technical solutions are applied which do not present a trap or an obstacle to animals; and that technical solutions which after the construction turn out to present a trap or an obstacle to animals are eliminated by additional measures.*

(2) *For plant or animal species or habitats of their populations in agglomerations the minister shall, with the consent of the competent minister, prescribe the manner and conditions for an activity affecting nature which will comply with the requirements referred to in the preceding paragraph”.*

We have also to care about the provisions concerning the **measures for the protection of valuable natural features** which are laid down in the **articles 45 to 52 of the Nature Conservation Act**. The article 45, paragraphs 1 and 2, precise that the “ [the] State and local communities shall carry out the measures for the protection of valuable natural features in order to protect valuable natural features or maintain natural processes and to determine the manner of protecting valuable natural features” and that “[the measures] for the protection of valuable natural features shall be contractual protection, protection, temporary protection and restoration”.

## 2.7 Ecological connectivity in non legally-binding documents

The necessity to create an ecological network is highlighted in the **Biodiversity Conservation Strategy of Slovenia**. See the **point 2.1 of the Strategy** which defines some guidelines:

*„In view of the efficient conservation of ecosystems, it is important to promote the establishment of a network of protected areas, taking into account the network of protected areas of the European Union - NATURA 2000. However, the established system of protected areas is not sufficiently efficient and adequate to guarantee the conservation of populations of numerous wild species and their habitats. It is therefore neces-*

sary for the in-situ conservation that a state ensures the conservation and sustainable use of biodiversity components outside protected areas”.

#### Slovenia: Programme to develop Slovenia’s forests<sup>9</sup>

Forests are of particular significance in Slovenia. With forest covering 58,5 % (Slovenia Forest Service, 2007) of its land surface, Slovenia ranks third in Europe in terms of proportion of forested land. That proportion is increasing as agricultural land is abandoned. Slovenia’s forestry policy is based on principles of sustainability, near-natural and multi-function forest management. The „Programme to develop Slovenia’s forests” of 1996 contains the key facts on Slovenian forests and their role in conserving biodiversity. The fact that the forests have a high degree of conservation, cover a significant proportion of the country’s land surface and are home to many of Europe’s endangered species gives them special importance in any Alpine network. Ecologically important habitats and wetlands in the forests and forest reserves enjoy special protection status. The development programme envisages involving the forestry agency, as well as the hunting authority and hunting associations in aspects of spatial planning, in particular infrastructure plans, to ensure that habitats for game are preserved.

## 2.8 Management of Protected Areas

There is some specific regulations for the management of protected areas in the Nature Conservation Act:

- **Article 59 relates to the management of protected areas**  
„(1) The management of the protected area shall be the performance of tasks concerning the protection of valuable natural features and the tasks which are necessary to achieve the purpose of the protection of the area and are laid down in the instrument of protection.  
(2) In compliance with the instrument of protection the establisher may manage the protected area by himself through a service unit, he may establish a public institute for this purpose or he may grant a concession for the management.  
(3) The protected area shall be managed on the basis of the protected area management plan if so laid down in the instrument of protection”.
- **Article 60 relates to the management plan: nature, elaboration, participation to the procedure for the adoption.**  
„(1) A protected area management plan shall be a programme document by which the development orientations, the manner of protection, use and management of the protected area and the detailed orientations for the protection of valuable natural features in the protected area are laid down while taking into account the development needs of the local community.  
(2) Pursuant to the instrument of protection, the protected area management plan shall be adopted by the body which has adopted the instrument of protection.

<sup>9</sup> Quote: Alpine Network of Protected Areas (in CIPRA, Background report on ecological connectivity).

(3) *The management plan for the protected area established by the State shall be adopted by the Government in a decree.*

(4) *Local communities in the protected area shall participate in the procedure for the adoption of the management plan referred to in the preceding paragraph by giving an opinion.*

(5) *The proposal for the protected area management plan shall be drawn up by the manager pursuant to the instrument of protection and with technical assistance of the organisation responsible for nature conservation”.*

- **Article 61** relates to the contents of the protected area management plan: it precises the essential components of the plan and precise also that “[the] management plan shall be a mandatory basis for spatial planning and the use of natural assets”.

## 2.9 The existing transborder cooperation as regards protected areas

There is no legal obligation to cooperate with transborder protected areas in the legal provisions on nature protection. But a voluntary cooperation is already existing. There is for instance cooperation through the Programme INTERREG between Slovenia and the Julian Alps (Alpi Giulie). The cooperation aims at elaborating a common cross-border management plan and between Landscape park Goricko, Naturpark Raab (Austria) and Órség (Hungary)

## 3 TRANSBORDER COOPERATION

### 3.1 Powers of local authorities as regards transborder cooperation

Article 6, paragraph 2, of the Environment Protection Act: „*The State shall ensure cooperation and solidarity in resolving global and international environmental protection issues, in particular by concluding international agreements, by cooperating with other countries with regard to the plans, programmes and activities affecting the environment with cross-border impact, by informing other countries of ecological accidents, and by exchanging environmental information at the international level*”.

### 3.2 An exemple of an Alpine Transborder Cooperation involving Slovenia: MATRIOSCA.

The project MATRIOSCA-AAP is aimed at promoting integrated and co-ordinated development in the territory of the cooperation area „Adria-Alpe-Pannonia”. The project will provide a unique forum for the cooperation of adequate members (in terms of responsibility, function and level) from all 14 partner regions. The backbone of the project is constituted by Working Groups in four

key areas influencing spatial development. The project should lead to an institutional setting which is based on present requirements and suited to grasp future opportunities<sup>10</sup>.

There was similar co-operation in the border area of Karavanke (Slovenia/Austria). Phare CBC Project „KraVANke-Natura 2000”<sup>11</sup> and current project „Karawanke@future”.

There are also crossborder activities in the frame of the project Interreg IIIB-CADSES-GREENBELT.

### 3.3 Slovenia and International Law on Transborder Cooperation

Slovenia ratified in July 2003 the **European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities** and it entered into force in October 2003. This Convention was drawn up within the Council of Europe by the Committee on Co-operation in Municipal and Regional Matters and adopted by the Committee of Ministers, was opened for signature by the member States of the Council of Europe on 21 May 1980. Slovenia ratified also the two additional Protocols to the European Outline Convention:

- in September 2003 the **Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities** (concluded in 1995) and it entered into force in December 2003.
- in September 2003 the **Protocol N° 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning interterritorial co-operation** (concluded in 1998) in December 2003.

We can mention a bilateral agreement between Slovenia and Austria in field of spatial planning exist: *Agreement among Slovenia and Austria on the Co-operation in the spatial planning and regional politics*, concluded in 1995.

### 3.4 European Grouping of Territorial Cooperation (EGTC) and Slovene law

For the implementation of the Regulation, Slovenia adopted rules on 20 March 2008: Decree on establishment of European Grouping of Territorial Cooperation (*Uredba o ustanavljanju evropskega združenja za teritorialno sodelovanje*, Ur.l. RS, št. 31/2008).

The question of the participation of third countries under the Regulation is taken into account in a particular manner in Slovenia.

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<sup>10</sup> Quote: Web Site of the project.

<sup>11</sup> Online on URL: [http://www.karavanke.si/?dep\\_id=19](http://www.karavanke.si/?dep_id=19) (10 July 2009).

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