

**Format for the Aarhus Convention implementation  
report in accordance with Decision IV/4  
(ECE/MP.PP/2011/2/Add.1)**

**The following report is submitted on behalf of Republic of  
SLOVENIA in accordance with decisions I/8, II/10 and IV/4.**

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Name of officer responsible for submitting the national report: **Štefanija Novak**

Signature:

Date:

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**Implementation report**

**Please provide the following details on the origin of this report**

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**Party:** **SLOVENIA**

**National Focal Point:**

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**I. Process by which the report has been prepared**

*Provide a brief summary of the process by which this report has been prepared, including information on the type of public authorities that were consulted or contributed to its preparation, how the public was consulted and how the outcome*

*of the public consultation was taken into account, as well as on the material that was used as a basis for preparing the report.*

*Answer:*

The report was prepared by the Ministry of the Environment, Climate and Energy (hereafter; the Ministry) and sent for inter-ministerial coordination to the Ministry of Public Administration, the Ministry of Justice, the Ministry of Natural Resources and Spatial Planning, the Ministry of Health, the Ministry of Agriculture, Forestry and Food, the Ministry of Infrastructure and the Ministry of the Economy, Tourism and Sport. The public was consulted through the publication of the draft report on the Ministry's website and given the opportunity to comment.

The basis for the preparation of the report was the last implementation report from 2021, as well as current legislation, comments on laws, information on the internet, opinions of other State bodies and NGOs.

Due to staffing problems, the report was prepared very late in the process, which did not give NGOs and the public much time to study it. The Ministry received responses from some NGOs and the public and took them into account as far as they were useful in terms of the structure of the report.

After the report was supplemented with comments and opinions of stakeholders, the final report was republished on the website of the State administration. Due to the deadlines for the submission of the report to the Secretariat, there was no time for a public debate on the report in physical form.

## **II. Particular circumstances relevant for understanding the report**

*Report any particular circumstances that are relevant for understanding the report, e.g., whether there is a federal and/or decentralized decision-making structure, whether the provisions of the Convention have direct effect upon its entry into force, or whether financial constraints are a significant obstacle to implementation (optional).*

*Answer:*

To better understand the abbreviations for the regulations cited in the report, we provide the full titles below:

– Environmental Protection Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 39/06, 49/06, 66/06, 33/07, 57/08, 70/08, 108/09, 108/09, 48/12, 57/12, 92/13, 56/15, 102/15, 30/16, 61/17, 21/18, 84/18, 158/20, 44/22, 18/23, 78/23 and 23/24); (hereinafter: **ZVO-2**);

– Nature Conservation Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 96/04, 61/06, 8/10, 46/14, 21/18, 31/18, 82/20 3/22, 105/22 and 18/23); (hereinafter: **ZON**);

– Building Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 61/17, 72/17, 65/20, 15/21, 199/21, 105/22, 133/23 and 85/24);

– Public Information Access Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 24/03, 51/06, 117/06, 23/14, 50/14, 19/15, 102/15, 7/18 and 141/22); (hereinafter: **ZDIJZ**);

– Constitutional Court Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 64/07, 109/12, 23/20 and 92/21); (hereinafter: **ZUstS**);

– General Administrative Procedure Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 24/06, 105/06, 126/07, 65/08, 8/10, 82/13 and 175/20); (hereinafter: **ZUP**);

– Administrative Dispute Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 105/06, 107/09, 62/10, 98/11, 109/12, 10/17 and 49/23); (hereinafter: **ZUS-1**);

– Management of Genetically Modified Organisms Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 23/05, 21/10 and 90/12); (hereinafter: **ZRGSO**).

### III. Legislative, regulatory and other measures implementing the general provisions in article 3, paragraphs 2, 3, 4, 7 and 8

#### List legislative, regulatory and other measures that implement the general provisions in article 3, paragraphs 2, 3, 4, 7 and 8, of the Convention.

Explain how these paragraphs have been implemented. In particular, describe:

- (a) With respect to **paragraph 2**, measures taken to ensure that officials and authorities assist and provide the required guidance;
- (b) With respect to **paragraph 3**, measures taken to promote education and environmental awareness;
- (c) With respect to **paragraph 4**, measures taken to ensure that there is appropriate recognition of and support to associations, organizations or groups promoting environmental protection;
- (d) With respect to **paragraph 7**, measures taken to promote the principles of the Convention internationally; including:
  - (i) Measures taken to coordinate within and between ministries to inform officials involved in other relevant international forums about article 3, paragraph 7, of the Convention and the Almaty Guidelines, indicating whether the coordination measures are ongoing;
  - (ii) Measures taken to provide access to information at the national level regarding international forums, including the stages at which access to information was provided;
  - (iii) Measures taken to promote and enable public participation at the national level with respect to international forums (e.g., inviting non-governmental organization (NGO) members to participate in the Party's delegation in international environmental negotiations, or involving NGOs in forming the Party's official position for such negotiations), including the stages at which access to information was provided;
  - (iv) Measures taken to promote the principles of the Convention in the procedures of other international forums;
  - (v) Measures taken to promote the principles of the Convention in the work programmes, projects, decisions and other substantive outputs of other international forums;
- (e) With respect to **paragraph 8**, measures taken to ensure that persons exercising their rights under the Convention are not penalized, persecuted or harassed

*Answer:*

a.) The Constitution of the Republic of Slovenia (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 33/91, 42/97, 66/00, 24/03, 69/04, 69/04, 69/04, 68/06, 47/13, 75/16 and 92/21) provides that everyone has the right to obtain public information in respect of which he or she has a legal interest based on the law. Public Information Access Act (Official Gazette of the Republic of Slovenia (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 24/0351/06, 117/06, 23/14, 50/14, 19/15, 102/15, 7/18 in 141/22) (hereinafter: ZDIJZ), as an umbrella act, regulates the procedure which ensures everyone free access to and reuse of public information held by State bodies, local Government bodies, public agencies, public funds and other entities of public law, bearers of public authority and public service contractors. The catalogue of bodies referred to in Article 8 of the ZDIJZ constitutes an online identity card of liable persons. The content of

the catalogue is further defined by the Decree on the provision and re-use of public information (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 24/16 in 146/22). Article 9 of the ZDIJZ also stipulates that each body must appoint one or more officials responsible for the transmission of public information.

Specifically for environmental data, Article 15 of the Environmental Protection Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos No 44/22, 18/23, 78/23 and 23/24), (hereinafter: ZVO-2) provides that all environmental data are public and can be accessed by anyone in accordance with the law. Article 160 of the ZVO-2 further stipulates that national authorities, municipal authorities, public agencies, public trust funds and other bodies governed by public law, bearers of public authority and providers of public services must facilitate access to environmental data to all interested parties when so prescribed by the Act and regulations governing the access of the public to public information.

Furthermore, the National Environmental Protection Programme (NPVO), which was adopted by Resolution (Official Gazette of the Republic [*Uradni list RS*], No 31/20) and sets out the strategy for the development of environmental policy for the 2020-2030 period, attaches great importance to environmental protection, education and capacity building of existing staff, better information of officials for policy planning and implementation, and awareness-raising in the field. In the NPVO, Slovenia also highlighted the importance of access to transparent environmental information for investors, the general public, non-governmental organisations (NGOs) and municipalities, and the importance of a clear presentation of the path to legal protection of the environmental rights of NGOs. This is also followed in the updating and maintenance of the environmental content of the website. The National Nature Conservation Programme (NPVN), which is an integral part of the NPVO, also envisages a long-term planning of awareness-raising efforts, combining the activities of State bodies, public institutions and NGOs, and strengthening the educational and awareness-raising capacities of public services working in the field of biodiversity conservation, together with the use of targeted communication methods and modern forms of communication that are close to younger audiences, with protected area managers in particular as role models.

b.) In addition to education and public awareness raising, public participation is also defined in the Strategy for the Further Development of the Slovenian Public Sector, which emphasises the importance of the public participation process in the adoption of public administration acts and of legal instruments ensuring public participation in public administration decision-making. In order to further improve the involvement of public administration in environmental policies, a Strategy for the Sustainable Development of Public Administration until 2030 is also under preparation, which will identify open and innovative public administration as one of its strategic objectives and will further help to open up space for public involvement in public policy-making. Furthermore, in the Strategy for Cooperation with NGOs until 2023, the Government set objectives to create a supportive environment for the functioning and development of NGOs, including their long-term funding. It is committed to strengthening their role in the planning and implementation of public policies at local and national levels. It also focuses on promoting cooperation between NGOs and the economy and the establishment of cross-sectoral partnerships.

A Strategy for the Development of NGOs in the Republic of Slovenia until 2030 is currently under preparation, which will amend the existing Strategy for the Development of NGOs and Volunteering until 2023.

c.) In addition to the basic Non-Governmental Organisations Act (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 21/18), (hereinafter: ZNOrg), the conditions and method of obtaining the status of an NGO operating in the public interest in the field of environmental protection are also laid down in the ZVO-2 and in the Rules on the criteria determining the significant achievements of an NGO in order to be granted the status of an NGO operating in the public interest in the field of environmental protection (Official Gazette of the Republic of Slovenia [*Uradni list RS*], No 104/24),

(hereinafter: the Rules on NGOs.)

d.) As a member of the EU, Slovenia, also advocates and promotes the principles of the Convention in international environmental decision-making processes and in international organisations. Public participation is also envisaged through the process of elaboration and adoption of Slovenia's positions for participation in important international environmental meetings and conferences.

e.) It is already clear from the general provisions contained in the Constitution of the Republic of Slovenia (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 33/91, 42/97, 66/00, 24/03, 69/04, 69/04, 69/04, 68/06, 47/13, 75/16 and 92/21), (hereinafter: the Constitution) that Slovenia is a State governed by the rule of law, in which the principle of the hierarchy of legal acts applies. Therefore, whoever exercises his/her rights in accordance with an international treaty (e.g. the Aarhus Convention) should not be penalised, prosecuted or harassed in any way for doing so.

#### IV. Obstacles encountered in the implementation of article 3

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 3 listed above.*

*Answer:*

Most of the discussion and changes were on the granting of the status of NGO operating in the public interest. At the time of the entry into force of the ZNOrg and ZVO-2, the conditions for obtaining the status of an NGO operating in the public interest were regulated by the Rules on more detailed conditions and criteria for obtaining the status of an NGO operating in the public interest in the field of environmental protection, (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 34/14 and 44/22 - ZVO-2). This was inconsistent in some parts with the provisions of the hierarchically superior regulations, and the area had to be regulated accordingly. On the basis of paragraph two of Article 237 of the ZVO-2 and paragraph five of Article 6 of the ZNOrg, a new NGO Rules were drafted, which entered into force in December 2024 and repealed the previous Rules. The new NGO Rules brought the field into line with the two parent regulations. The drafting of the new NGO Rules involved the participation of the interested public and NGOs, who actively participated, and the Ministry took due account of the comments made during the drafting process.

In 2024, on the basis of the audit report "Efficiency of granting the status of NGO operating in the public interest in the fields of sport, social protection, environmental protection, nature conservation and development of NGOs" of 12 September 2023 and the Report of the extraordinary internal audit "Granting the status of NGO operating in the public interest" of 19 December 2023, the Ministry took certain measures to improve the efficiency in the field of granting the status of NGO operating in the public interest in the fields of environment and nature. Among other things, standardised application and reporting forms and an internal procedure manual for the granting and monitoring of status were developed for use by Ministry staff involved in the procedures for granting and monitoring the status of NGOs operating in the public interest.

On the basis of the same, the Ministry of Natural Resources and Spatial Planning took certain measures in 2023 to improve efficiency in the field of granting the status of NGO operating in the public interest in the field of nature conservation. An internal procedure manual for the granting and monitoring of statuses was prepared for use by Ministry staff involved in the procedures for granting and monitoring the status of NGOs operating in the public interest, and a checklist was developed for use when granting status and reviewing

reports.

Prior to this, an amendment to the Nature Conservation Act was adopted in 2020 (Official Gazette of the Republic of Slovenia [*Uradni list RS*], Nos 96/04, 61/06, 8/10, 46/14, 21/18, 31/18, 82/20, 3/22, 105/22 and 18/23 - Nature Conservation Act (ZON), which introduced stricter conditions for obtaining the status of NGO operating in the public interest. As a result, seventeen NGOs lost their status as NGOs operating in the public interest, in accordance with the then paragraph three of Article 4 of the Nature Conservation Act. Four NGOs lodged an appeal, one of which was successful. This amendment to the Nature Conservation Act was later repealed and abrogated, so that these stricter conditions no longer apply to NGOs.

One NGO commenting on this report complained that the procedures for adopting environmental legislation do not provide sufficiently well specified expert basis, or these are insufficient or inadequate, which leads to a lack of public awareness of the environment.

Another NGO considers that the implementation of the Convention in Slovenia is not sufficiently systematic and that the legislative framework itself is unclear, non-transparent and inconsistent. It proposes that a special administrative body be set up to systematically monitor the implementation of the Aarhus Convention, to state opinions and accept complaints of violations, and to resolve complaints or refer complainants to the competent administrative or judicial authorities for advice.

The NGO is also not satisfied that public comments on certain projects are in some cases responded to by the investor and considers that the Ministry official should obtain independent peer review from entities that are materially and politically independent and not connected to the investor.

## **V. Further information on the practical application of the general provisions of article 3**

*Provide further information on the practical application of the general provisions of article 3.*

*Answer:*

Slovenia is working towards the appropriate implementation of the general provisions of the Convention in accordance with the legal and other bases described above. Environmental awareness-raising and public education on the environment is also promoted through the co-funding of environmental NGOs and projects promoting environmental protection, thereby indirectly facilitating public awareness-raising and education.

At the end of 2022, the then Ministry launched a call for proposals for co-funding of LIFE projects. In 2023, a call for proposals for co-funding of climate projects was launched, and in 2024 a call for proposals for co-funding of environmental projects was launched, as well as a call for proposals for co-funding of climate programmes of the thematic networks on environment and spatial planning. A call for Climate Programmes of the Sustainable Mobility Networks is planned for 2025. The calls are managed by a special body, the Eco-Fund, and financed by the Climate Change Fund and the Ministry of the Environment's integrated budget. It is envisaged that more general calls for proposals for environmental and climate projects would be launched every two years, while calls for proposals for the climate programmes of the thematic networks would be launched every four years. This is intended to create predictability in the funding of NGO activities.

In the field of nature conservation and spatial planning, the competent ministry conducts an annual call for promotional activities in spatial planning (with a budget ranging from 35,000 EUR to 80,000 EUR). For nature conservation, calls for co-financing LIFE projects

have been implemented.

According to the latest funding analysis from 2023, prepared within the NGO network Plan B for Slovenia, environmental NGOs received 0.74% of all state funds allocated to NGOs in Slovenia for the year 2021. This marks a decrease of 0.44% compared to 2019. This funding accounted for only 0.47% of the total budget of the ministry at that time.

Following the division of the Ministry of the Environment and Spatial Planning into the Ministry of the Environment, Climate and Energy (MOPE) and the Ministry of Natural Resources and Spatial Planning (MNVP), the situation regarding environmental funding improved in 2023/24 at MOPE in terms of systemic funding. However, MNVP remained passive in this regard.

## **VI. Website addresses relevant to the implementation of article 3**

*Give relevant website addresses, if available:*

[About the Ministry of the Environment, Climate and Energy | GOV.SI](#)

[Environmental contamination | GOV.SI](#)

[Non-governmental organisations | GOV.SI](#)

[Obtaining the status of a non-governmental organisation operating in the public interest in the field of environmental protection | GOV.SI](#)

[Obtaining the status of NGO in the public interest in the field of nature conservation | GOV.SI](#)

[Obtaining the status of NGO in the public interest in the field of spatial planning | GOV.SI](#)  
<https://pisrs.si/pregledPredpisa?id=ZAKO8286>

## VII. Legislative, regulatory and other measures implementing the provisions on access to environmental information in article 4

### List legislative, regulatory and other measures that implement the provisions on access to environmental information in article 4.

Explain how each paragraph of article 4 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
  - (i) Any person may have access to information without having to state an interest;
  - (ii) Copies of the actual documentation containing or comprising the requested information are supplied;
  - (iii) The information is supplied in the form requested;
- (b) Measures taken to ensure that the time limits provided for in **paragraph 2** are respected;
- (c) With respect to **paragraphs 3 and 4**, measures taken to:
  - (i) Provide for exemptions from requests;
  - (ii) Ensure that the public interest test at the end of paragraph 4 is applied;
- (d) With respect to **paragraph 5**, measures taken to ensure that a public authority that does not hold the environmental information requested takes the necessary action;
- (e) With respect to **paragraph 6**, measures taken to ensure that the requirement to separate out and make available information is implemented;
- (f) With respect to **paragraph 7**, measures taken to ensure that refusals meet the time limits and the other requirements with respect to refusals;
- (g) With respect to **paragraph 8**, measures taken to ensure that the requirements on charging are met.

*Answer:*

- a.) Article 15 of the ZVO-2 provides for the public access to environmental data (information) and gives everyone the right of access to environmental data in accordance with the law. Thus, Article 5 of the ZDIJZ, as *lex generalis*, enacts the principle of free access to information - legal or natural persons must have free access to public information. Each applicant, at his/her request, has the right to acquire public information from the body by obtaining such information for inspection of it on the spot, or by obtaining a transcript, a copy or an electronic record of such information. The public nature of environmental data is also contained in paragraph three of Article 6 of the ZDIJZ, on the basis of which the body may not refuse a request for access to information of a public nature if the information is related to environmental emissions, waste, hazardous substances in a plant or information contained in a safety report and also other information if the Act governing environmental protection so stipulates.
- b.) Article 23 of the ZDIJZ sets the time limit for the decision of the body - the body must decide on the applicant's request without delay, but no later than within 20 working days from the date of receipt of the complete request. When the body needs more time for the transmission of the requested information due to the provision of



partial access to public information or due to the comprehensive nature of the requested document, the body may extend the time limit referred to in the preceding Article by no more than 30 working days. The body is required to issue a decision to extend the time limit, including a statement of grounds for the extension, and to serve on this decision to the applicant. The body must reach the decision no later than within 5 working days after the expiry of the 20 working day period.

c.) Exceptions to access to information are set out in Article 6 of the ZDIJZ. The body shall deny an applicant's access to the requested information if the request relates to:

- i. information which, pursuant to the Act governing classified data, is defined as classified;
- ii. information which is defined as a trade secret in accordance with the Act governing companies;
- iii. personal data the disclosure of which would constitute an infringement of the protection of personal data in accordance with the Act governing the protection of personal data;
- iv. information the disclosure of which would constitute an infringement of the confidentiality of individual information concerning reporting units, in accordance with the Act governing activities related to government statistics;
- v. information the disclosure of which would constitute an infringement of tax procedure confidentiality in accordance with the Act governing tax procedures;
- vi. information acquired or drawn up for the purposes of criminal prosecution or in relation to criminal prosecution or misdemeanour proceedings, and the disclosure of which would prejudice the implementation of such proceedings;
- ii. information acquired or drawn up for the purposes of an administrative procedure, and the disclosure of which would prejudice the implementation of such procedure;
- ii. information acquired or drawn up for the purposes of a civil, non-litigious civil procedure or other court proceedings, and the disclosure of which would prejudice the implementation of such procedures;
- x. information from the document that is in the process of being drawn up and is still the subject of consultation by the body, and the disclosure of which would lead to misunderstanding of its contents;
- x. information on natural or cultural value which, in accordance with the Act governing the conservation of nature or cultural heritage, is not accessible to the public for the purpose of protecting (that) natural or cultural value;
- ii. information from the document drawn up in connection with internal operations or activities of bodies, and the disclosure of which would cause disturbances in the operations or activities of the body.

Access to the requested information must be granted if public interest disclosure prevails over the interest in restricting access to the requested information, unless the requested information relates to the highest level of classification, or if the classified information relates to foreign countries or organisations with which Slovenia has concluded a special treaty on the exchange of information, etc.

d.) Article 20 of the ZDIJZ regulates the conduct of a body if the latter does not possess the requested information as follows: if the body that received the request does not have the requested information, it must forward the request to a body which is, in terms of the contents of the request, competent for answering the request, with notification thereof to the applicant without delay, but not later than within three working days from the date of receipt of the request.

e.) Article 7 of the ZDIJZ regulates partial access to information. If a document or its part contains only a part of the information which is defined under the exemptions and may be excluded from the document without jeopardizing its confidentiality, an authorised person of the body shall exclude such information from the document and refer the contents of the rest of the document to the applicant.

f.) Article 23 of the ZDIJZ sets the time limit for the decision of the body - the body

must decide on the applicant's request without delay, but no later than within 20 working days from the date of receipt of the complete request. When the body needs more time for the transmission of the requested information due to the provision of partial access to public information or due to the comprehensive nature of the requested document, the body may extend the time limit referred to in the preceding Article by no more than 30 working days. Article 27 of the ZDIJZ regulates the right to appeal - the applicant has the right of appeal against the decision by which the body has decided on the request to access or re-use public information and against the body's rejection order. The applicant also has the right to appeal in the event that the applicant requests the body to provide him/her with access to public information which he/she has indicated in the request. The Commissioner for Access to Public Information decides on the appeal. The appeal procedure is carried out in accordance with the Act governing the general administrative procedure.

- g.) Article 34 of the ZDIJZ regulates the costs of transmission of information - access to the requested information must be free of charge. The body may charge the applicant only with the material costs of transmission of a transcript, photocopy or electronic record of the requested information, if these exceed EUR 20. The Government determines the a uniform bill of costs on the basis of which the body charges material costs. Each body must publish the bill of costs in a suitable manner (official newsletter of the body, the internet, notice board, etc.) and provide it for inspection to each applicant.

## VIII. Obstacles encountered in the implementation of article 4

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 4.*

*Answer:*

NGOs generally have a positive view of access to information of a public nature, but some feel that access becomes more difficult when it comes to information relating to the most financially complex projects. In such cases, they feel that more effort is required to seek information from the Government as well as from State-owned enterprises. The Government either claims that it is not responsible and refers questions to ministries, or avoids the obligation to provide documents that are discussed in government working bodies on the basis of publicly published minutes. One NGO cites a case where a State-owned company allegedly refused to provide access to public information (e.g. an already prepared earthquake study for a particular project), on the grounds that there was no prevailing public interest for civil society to have access to this information. This case has been submitted for judicial review.

## IX. Further information on the practical application of the provisions of article 4

*Provide further information on the **practical application of the provisions on access to information in article 4**, e.g., are there any statistics available on the number of requests made, the number of refusals and the reasons for such refusals?*

*Answer:*

The Ministry reports annually on the implementation of the ZDIJZ. It publishes on its website an annual report on the implementation of the ZDIJZ for the previous year, which shows statistics on the implementation of the provisions on access to public information in the field of the environment. The report covers all the Ministry's cases in the field of access to public information. It also includes, inter alia, requests relating to environmental issues.

However, more detailed information is available from the Ministry's information system with search parameters for each NGO.

The website of the Commissioner for Access to Public Information publishes all decisions, not only environmental ones, and these are easy to find with the appropriate search parameters.

The Catalogue of Public Information of the Slovenian Environment Agency (ARSO) is also published on the website of the State administration, where information on the Agency's field of work is available. ARSO performs the tasks of the state meteorological, hydrological, oceanographic and seismological service; provides monitoring of the state of soil, water and air; performs the tasks of the State in relation to operational monitoring, except for monitoring for the purpose of environmental risk reduction, issuing of authorisations for the performance of operational monitoring, keeping records of operational monitoring providers and verifying the quality of operational monitoring; ARSO carries out monitoring tasks related to waste management and extended producer responsibility; carries out administrative tasks related to responsibility for the prevention and remediation of environmental damage; and carries out international exchange of data on the status and burdens on soil, water and air.

## **X. Website addresses relevant to the implementation of article 4**

*Give relevant website addresses, if available:*

[About the Ministry of the Environment, Climate and Energy | GOV.SI](#)  
[Homepage - IPRS](#)  
[Public information | GOV.SI](#)  
[Public information - IPRS](#)

## **XI. Legislative, regulatory and other measures implementing the provisions on the collection and dissemination of environmental information in article 5**

**List legislative, regulatory and other measures that implement the provisions on the collection and dissemination of environmental information in article 5.**

Explain how each paragraph of article 5 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
  - (i) Public authorities possess and update environmental information;
  - (ii) There is an adequate flow of information to public authorities;
  - (iii) In emergencies, appropriate information is disseminated immediately and without delay;
- (b) With respect to **paragraph 2**, measures taken to ensure that the way in which public authorities make environmental information available to the public is transparent and that environmental information is effectively accessible;
- (c) With respect to **paragraph 3**, measures taken to ensure that environmental information progressively becomes available in electronic databases which are easily accessible to the public through public telecommunications networks;

- (d) With respect to **paragraph 4**, measures taken to publish and disseminate national reports on the state of the environment;
- (e) Measures taken to disseminate the information referred to in **paragraph 5**;

(f) With respect to **paragraph 6**, measures taken to encourage operators whose activities have a significant impact on the environment to inform the public regularly of the environmental impact of their activities and products;

(g) Measures taken to publish and provide information as required in **paragraph 7**;

(h) With respect to **paragraph 8**, measures taken to develop mechanisms with a view to ensuring that sufficient product information is made available to the public;

(i) With respect to **paragraph 9**, measures taken to establish a nationwide system of pollution inventories or registers.

*Answer:*

The collection and dissemination of environmental information is mainly regulated in the ZVO-2 and the regulations based on it.

- a.) Article 146 of the ZVO-2 regulates environmental monitoring and lays down that monitoring of natural phenomena, the state of the environment and environmental pollution must be carried out in the State. Article 147 of the ZVO-2 regulates the tasks of the State and the municipality in relation to environmental monitoring, and in this respect also regulates the monitoring of the state of the environment in the event of environmental disasters.
- b.) Article 154 of the ZVO-2 establishes a register where data from the records of all environmental protection actions as defined in the ZVO are collected, maintained and processed. In order to perform the tasks of the State in the field of environmental protection, including maintaining the register and informing the public about environmental data, and to support the municipalities in the performance of their tasks in the field of environmental protection, the Ministry provides for the management and maintenance of the environmental information system (Article 156 of the ZVO-2); the register of discharges and transfers of pollutants is part of the register. Article 158 of the ZVO-2 specifies which environmental data are to be published on the website of the State administration, while access to environmental data is regulated in Article 160 of the ZVO-2 and is free of charge.
- c.) Article 158 of the ZVO-2 regulates the provision of environmental data on the website in accordance with the rules governing public access to public information.
- d.) Article 156 of the ZVO-2 regulates public information on environmental data through a report on the state of the environment - the Ministry of the Environment, in cooperation with other ministries, prepares a report on the environment in Slovenia at least every fourth year. Every other year, the Ministry draws up a report on the state of the environment and parts thereof comprising environmental state indicators. The Ministry publishes the reports so as to make them available to the public. A report on the state of the environment is to be also be prepared and made public at least every fourth year by a municipality for its area, or by a municipality or a broader self-governing local community. The most recent report on the state of the environment in Slovenia was produced in 2022 and is published on the website of the Slovenian Environment Agency.
- e.) In addition to the legislation, the Ministry makes available on the internet in particular:
  - national and operational environmental protection programmes;
  - reports on the state of the environment;
  - information on the state of the environment or parts thereof or environmental indicators;
  - environmental monitoring data or summaries thereof;
  - environmental consents and environmental permits, except

information which is not accessible to the public according to regulations, or indication of the body from which the consents or permits may be obtained;

- information on the measures taken by the operator on definitive cessation of the operation of the installation and the decisions on definitive cessation of the operation of the installation referred to in Article 125 of the ZVO-2, reports on the state of the environment and environmental impact reports, or an indication of the body from which the reports may be obtained;
- information on ratified international treaties relating to the prevention and reduction of environmental pollution;
- information on conservation areas, nature protection areas, protected areas, degraded areas, areas of environmental restrictions and other areas where a special legal regime or status is established for reasons of environmental protection, nature conservation, water management, protection of natural resources or protection of cultural heritage;
- information on the availability of the register of individual acts referred to in paragraph two of Article 154 of the ZVO-2.

Article 10 of the ZDIJZ also regulates the transmission of public information to the world wide web and provides that each body must transmit public information related to its field of work to the world wide web. This includes, in particular, regulations, programmes, strategies, positions, opinions, instructions, studies, documentation on public procurement, subsidies, information on its activities, administrative, judicial and other services and other information requested by applicants.

- f.) The ZVO-2 defines a number of publicly accessible records, such as, for example, records of persons who have obtained an environmental consent under the Act or an integral building permit under the Act regulating building; records of installation operators or providers of activities who are required to declare their installation or activity to the Ministry; a register of persons holding authorisations or certificates to carry out monitoring activities and other environmental protection activities in accordance with the Act and the regulations issued on the basis thereof; a register of persons holding a permit for the release of greenhouse gases; a register of environmental damage causers and a register of environmental damage imminent threat causers; etc.
- g.) Article 155 of the ZVO-2 regulates the environmental information system, which is managed and maintained by the Ministry for the performance of the State's tasks in the field of environmental protection, including the provision of environmental information to the public. The information contained in the information system includes, inter alia, information on emissions and their sources, waste and its management, hazardous substances, environmental accidents and environmental pollutants.
- h.) Article 67 of the ZVO-2 also regulates the Ecolabel and system for the environmental management of organisations. In order to promote the manufacture of products or the provision of services that have a less harmful impact on the environment throughout their life cycle than other products of the same kind and thus contribute to the efficient use of environmental components and a high level of environmental protection, the Ministry may award the Ecolabel to such products. Article 68 of the ZVO-2 regulates the system of environmental management of organisations. In order to promote more appropriate environmental management and public information on the environmental impacts of their activities, the Ministry enables companies, sole traders, institutes and other organisations or parts or associations thereof to participate in the Community eco-management and audit scheme.

## **XII. Obstacles encountered in the implementation of article 5**

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 5.*

*Answer:*

There are currently no reports of problems with the implementation of this Article. In order to improve horizontal data linkage, the project "Green Slovenian Location Framework" has been set up and is expected to be completed in 2026. The aim of the project is to digitise in an efficient way the operation and linkage of spatial, land and environmental policies. Horizontal digital integration of space, water, nature, environment and real estate will enable smart management of space as a limited natural resource and reduce new land development, thereby increasing resilience to climate change. One NGO commented that the Report on the State of the Environment does not contain or include all relevant information on the quality of the environment and pressures on the environment, as it does not satisfactorily identify locations that are continuously or significantly exposed to excessive noise from the use of noise generating devices.

## **XIII. Further information on the practical application of the provisions of article 5**

*Provide further information on the **practical application of the provisions on the collection and dissemination of environmental information in article 5**, e.g., are there any statistics available on the information published?*

*Answer:*

The Ministry has set up a public relations office as a contact point for transmission of information. The Ministry also has its own website where the public can access information. In accordance with the Environmental Protection Act, the ARSO has a website on environmental indicators that show the direction of environmental development in Slovenia. The ARSO obtains indicators by linking data and observations, and the website provides access to 180 environmental indicators. The indicators are grouped into thematic sub-groups relating to environmental components (e.g. water, air), environmental issues (e.g. climate change, nature protection, biodiversity loss, waste management, green economy) and the integration of environmental themes into sectoral policy-making (e.g. agriculture, transport, energy, health, forestry, environmental policy instruments).

## **XIV. Website addresses relevant to the implementation of article 5**

*Give relevant website addresses, if available:*

[About the Ministry of the Environment, Climate and Energy | GOV.SI](#)  
[Environmental Atlas](#)[Home page](#)[Environmental Protection Register | GOV.SI](#)  
[Home | Environmental indicators](#)  
[http://www.arso.gov.si/o\\_agenciji/Informacije\\_javnega\\_zna~caja/porocilo\\_ZDIJZ\\_04.doc](http://www.arso.gov.si/o_agenciji/Informacije_javnega_zna~caja/porocilo_ZDIJZ_04.doc)  
<https://eionet.arso.gov.si/taxonomy/term/105>  
[Green Slovenian Location Framework \(GreenSLO4D\) | GOV.SI](#)

## **XV. Legislative, regulatory and other measures implementing the provisions on public participation in decisions on specific activities in article 6**

### **List legislative, regulatory and other measures that implement the provisions on public participation in decisions on specific activities in article 6.**

Explain how each paragraph of article 6 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
  - (i) The provisions of article 6 are applied with respect to decisions on whether to permit proposed activities listed in annex I to the Convention;
  - (ii) The provisions of article 6 are applied to decisions on proposed activities not listed in annex I which may have a significant effect on the environment;
- (b) Measures taken to ensure that the public concerned is informed early in any environmental decision-making procedure, and in an adequate, timely and effective manner, of the matters referred to in **paragraph 2**;
- (c) Measures taken to ensure that the time frames of the public participation procedures respect the requirements of **paragraph 3**;
- (d) With respect to **paragraph 4**, measures taken to ensure that there is early public participation;
- (e) With respect to **paragraph 5**, measures taken to encourage prospective applicants to identify the public concerned, to enter into discussions, and to provide information regarding the objectives of their application before applying for a permit;
- (f) With respect to **paragraph 6**, measures taken to ensure that:
  - (i) The competent public authorities give the public concerned all information relevant to the decision-making referred to in article 6 that is available at the time of the public participation procedure;
  - (ii) In particular, the competent authorities give to the public concerned the information listed in this paragraph;
- (g) With respect to **paragraph 7**, measures taken to ensure that procedures for public participation allow the public to submit comments, information, analyses or opinions that it considers relevant to the proposed activity;
- (h) With respect to **paragraph 8**, measures taken to ensure that in a decision due account is taken of the outcome of the public participation;
- (i) With respect to **paragraph 9**, measures taken to ensure that the public is promptly informed of a decision in accordance with the appropriate procedures;
- (j) With respect to **paragraph 10**, measures taken to ensure that when a public authority reconsiders or updates the operating conditions for an activity referred to in paragraph 1, the provisions of paragraphs 2 to 9 are applied, making the necessary changes, and where appropriate;



(k) With respect to **paragraph 11**, measures taken to apply the provisions of article 6 to decisions on whether to permit the deliberate release of genetically modified organisms into the environment.

*Answer:*

The ZVO-2 contains provisions that allow for public participation in environmental decision-making processes as provided for in the Convention. Under the general principle of public participation, the ZVO-2 stipulates that the public concerned has the right to participate in administrative procedures related to environmental interventions.

Article 81 provides for public participation in the procedure for the comprehensive environmental impact assessment of plans, where the public has the right to give opinions and comments on the plan and the environmental report. The same applies to transboundary environmental assessment of plans.

Article 81 of the ZVO-2 thus states that, once the environmental report referred to in the preceding Article is found to be appropriate, the person responsible for the preparation of the plan, in the procedure for its adoption, makes the plan and environmental report as well as certain opinions obtained in the procedure, available to public by publicly displaying them for at least 30 days and ensure a public debate on the documents. During the public display, the public has the right to express opinions and make comments on the plan and the environmental report, which is to be examined and taken into account in an appropriate manner. The person responsible for the preparation of the plan, in cooperation with the Ministry, prepares and publishes a position on the comments on the environmental report and the plan within 60 days of the end of the public consultation. The person preparing the plan indicates the place and period of the public display and public debate of the plan and the manner of expressing opinions and comments by a public notice published in the local customary manner and on the internet of the State administration.

Article 90 obliges the Ministry to provide the public with access to the application for an environmental consent and to enable them to participate in the preliminary environmental impact assessment procedure by giving their opinions, suggestions and comments on the intended activity, in terms of establishing the factual situation, compliance with the rules of administrative procedure and compliance with the substantive rules, including proposals for measures to prevent, remedy or mitigate any significant adverse effects on the environment or to compensate for such effects. The views and suggestions of the public must be responded to in writing and, where appropriate, the environmental impact report must be supplemented by proposals for measures to avoid, remedy or mitigate significant adverse effects on the environment put forward by the public concerned.

Article 102 gives an NGO the status of an accessory participant pursuant to an Act provided that they have submitted a request to enter the procedure for issuing an environmental consent. This right is granted to NGOs with status of an NGO operating in the public interest in the field of environmental protection and nature conservation, as well as to civil initiatives with at least 200 members, except in cases of projects of national significance that require a building permit and an environmental impact assessment. The environmental consent is published in the local customary manner and on the central website of the State administration.

A similar procedure for public participation is laid down for the granting of environmental permits for the operation of installations and plants.

## **XVI. Obstacles encountered in the implementation of article 6**

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 6.*

*Answer:*

One NGO commenting on the report mentions that some local authorities (municipalities) do not take sufficient account of some individual opinions in the procedures for issuing permits for temporary excessive pollution.

## **XVII. Further information on the practical application of the provisions of article 6**

*Provide further information on the practical application of the provisions on public participation in decisions on specific activities in article 6, e.g., are there any statistics or other information available on public participation in decisions on specific activities or on decisions not to apply the provisions of this article to proposed activities serving national defence purposes.*

*Answer:*

The public is regularly involved in decision-making processes on specific activities, but Slovenia has no published statistics to show the actual extent of the public's involvement.

## **XVIII. Website addresses relevant to the implementation of article 6**

*Give relevant website addresses, if available:*

[Environmental Assessments Division | GOV.SI](#)

## **XIX. Practical and/or other provisions made for the public to participate during the preparation of plans and programmes relating to the environment pursuant to article 7**

*List the appropriate practical and/or other provisions made for the public to participate during the preparation of plans and programmes relating to the environment, pursuant to article 7. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.*

*Answer:*

Acts governing public participation in the preparation of plans, programmes and policies relating to the environment do not necessarily have the nature of general legal acts and are therefore not necessarily legally binding. They are often only politically binding and indicate strategic solutions. For example, Article 8 of the ZVO-2 provides for the general participation of the public and other actors in the adoption of policies, strategies, programmes, plans, schemes and general legal acts relating to environmental protection at the level of the State and local authorities.. In general terms, the ZVO-2 defines the "the interested public" as the public affected or likely to be affected by, or having an interest in, the environmental decision-making;

It provides for appropriate public participation in the adoption of the national environmental protection programme and operational plans and in the implementation of the strategic environmental impact assessment. The ZVO also provides for public participation in certain programmes. Article 74 of the ZVO requires the competent ministries to provide the public with the opportunity to review the draft programme and to express their opinions and comments in the process of preparing the national environmental protection programme and operational programmes for environmental protection, nature conservation and water management.

By means of a public notification on the main website of the State administration, the Ministry informs the public of the place where the programme is available, and the manner and time limit for expressing opinions and comments. The Ministry provides the public with the opportunity to examine the draft programme and to express opinions and comments on it for a period of at least 30 days. The Ministry then examines the opinions and comments of the public and, where appropriate, takes them into account in the preparation of the programmes. By means of a public notification on the website of the State administration it informs the public on the adoption of the programme. The notification includes justifications for the adopted programme decisions and information on the participation of the public in the drafting of the programme. The same procedure applies to the environmental programmes of local communities.

Article 62 of the ZVO-2 provides for public participation in the preparation of the programme of measures to improve the quality of the environment or parts thereof in accordance with the procedure for the elimination of the consequences of excessive environmental burden.

Article 77 ZVO-2 regulates the strategic environmental impact assessment as follows: "In the procedure for preparing or amending a plan, programme or other general act whose implementation may significantly affect the environment, a strategic environmental impact assessment of its implementation shall be conducted with a view to pursuing the principles of sustainable development, integrity and prevention. The aim of a strategic environmental impact assessment is to identify and assess environmental impacts and the integration of requirements pertaining to environmental protection, nature conservation, the protection of human health, climate targets and resilience to climate change, landscape and cultural heritage into a plan, as well as to obtain the Ministry's confirmation of the environmental acceptability of the implementation

thereof.

A strategic environmental impact assessment shall be conducted for a plan or a change of plan adopted, pursuant to an Act, by the competent State or municipal body in the field of spatial management, water management, forest management, hunting, fishery, mining, agriculture, energy, industry, transport, waste and waste water management, drinking water supply, telecommunications and tourism when such a plan is used to define or plan an activity affecting the environment, which shall be subject to an environmental impact assessment or if it covers a specific protection area under the regulations governing nature conservation or if the implementation of the plan may affect the area.” A strategic environmental impact assessment shall also be conducted for any other plan if the Ministry establishes that its implementation could significantly affect the environment. In such a case the Government shall prescribe the criteria for assessing significant environmental impacts.

Before starting to prepare the plan, the person preparing the plan must notify the Ministry of their intention. The notification must contain information on the type, content and level of detail of the plan, including an appropriate cartographic presentation of specific or planned activities or an area covered by the plan.

Within 30 days after receiving the notification, the Ministry decides whether the plan is subject to a strategic environmental assessment and, if so, determines the main content of the plan. By means of a public notification on the website of the State administration it also informs the public whether a strategic environmental impact assessment will be carried out for the plan.

Therefore, the right of the public to take part in the preparation of general acts is specifically regulated in Articles 70 and 74 of the ZVO-2. The Slovenian Constitutional Court has also recognised this right in the established case law as part of the constitutionally protected right to participate in the management of public affairs or as a right protected by the Constitution itself.

## **XX. Opportunities for public participation in the preparation of policies relating to the environment provided pursuant to article 7**

*Explain what opportunities are provided for public participation in the preparation of policies relating to the environment, pursuant to article 7.*

*Answer:*

The ZVO-2 provides a general and broad opportunity for public participation in policy-making at the national and local levels. Article 15 provides in general terms that the public has the right to participate in the procedures for the adoption of regulations, policies, strategies, programmes, and plans relating to environmental protection. In addition, several provisions of the ZVO provide for public participation in specific individual procedures. As described above, the public participates in the procedure for the preparation of acts intended for the formulation of environmental protection policy (e.g. the National Environmental Action Programme) or in the procedure for the preparation of acts relating to activities affecting the environment or in the procedure for the assessment of their acceptability for the environment. Examples of the second group of acts are spatial planning acts and sectoral plans for the management of natural assets.

In order to establish a dialogue and transparent cooperation with NGOs, the Minister of Natural Resources and Spatial Planning and the Minister of the Environment, Climate and Energy established the Council for Natural Resources, Spatial Planning, the Environment, Climate and Energy for Cooperation with NGOs (NGO Council). This Council is an expert advisory body to the Minister. The members were selected in an

independent procedure through the umbrella NGO (Centre for Information Service, Cooperation and Development of NGOs of Slovenia - CNVOS) and are appointed for the duration of the Minister's term of office.

On the basis of Article 234 of the ZVO-2, the Council for Sustainable Development and Environmental Protection (STRIVO) was established by a decision of the Minister of the Environment and Spatial Planning on 9 January 2023 as an advisory body for the evaluation of policies in the field of environmental protection. The Council is composed of fourteen members appointed by the Minister for a period of five years, with the possibility of reappointment. It is chaired by the President of the Council, who is elected by the members of the Council from among their number. The Council examines and adopts positions and expresses opinions and initiatives to the Minister, in particular concerning:

- the state and trends in the field of environmental protection and sustainable development in Slovenia and abroad,
- strategies, programmes and plans in the field of environmental protection and sustainable development,
- the legislative regulation of environmental protection and sustainable development,
- the functioning of the State and municipalities in the field of environmental protection and sustainable development,
- individual urgent issues relating to environmental burdening and sustainable development, and
- public initiatives.

In addition, the Climate Council, an independent scientific advisory body on climate change policy has been established at the government level and includes two representatives from among NGO experts.

The scientific advice consists of expert opinions and recommendations on existing and proposed climate policies and regulations, prepared by the members of the Council. The purpose is to advise the Government on existing and proposed climate policies and their consistency with ratified international treaties and the EU climate change acquis. It monitors the implementation and revision of Slovenia's Long-term Climate Strategy, Slovenia's Comprehensive National Energy and Climate Plan (NEPN) and other strategic documents on climate change mitigation and adaptation, comments on reports on their implementation and proposes measures to implement them effectively in line with the latest scientific knowledge. It also contributes to the comprehensive consideration of cross-sectoral measures on climate change and cooperation with specialised institutions and local communities. Members have a term of office of six years.

## **XXI. Obstacles encountered in the implementation of article 7**

*Describe any **obstacles encountered** in the implementation of article 7.*

*Answer:*

Currently, we are not facing any obstacles to the implementation of Article 7.

## **XXII. Further information on the practical application of the provisions of article 7**

*Provide further information on the **practical application of the provisions on public participation in decisions on specific activities in article 7.***

*Answer:*

### XXIII. Website addresses relevant to the implementation of article 7

*Give relevant website addresses, if available:*

[Legislation of the Ministry of the Environment, Climate and Energy | GOV.SI](#)  
[Environmental Division | GOV.SI](#)[Environmental Assessment Division | GOV.SI](#)  
<https://www.gov.si/zbirke/delovna-telesa/svet-ministra-za-naravne-vire-prostor-okolje-podnebje-in-energijo-za-sodelovanje-z-nevladnimi-organizacijami/>  
<https://www.gov.si/zbirke/delovna-telesa/svet-za-trajnostni-razvoj-in-varstvo-okolja-strivo/>  
<https://www.gov.si/zbirke/delovna-telesa/podnebni-svet/>

### XXIV. Efforts made to promote public participation during the preparation of regulations and rules that may have a significant effect on the environment pursuant to article 8

*Describe what efforts are made to promote effective public participation during the preparation by public authorities of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment, pursuant to article 8. To the extent appropriate, describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.*

*Answer:*

In Slovenia, there is a general Resolution on Legislative Regulation (Official Gazette [Uradni list RS] No 95/09) which sets out how the public can participate in drafting regulations. Such participation usually lasts between 30 and 60 days in electronic form, with the exception of draft regulations where participation is not possible due to the nature of the matter. Public participation is facilitated at the draft regulation stage, when the regulation is also submitted for inter-ministerial coordination. The resolution is implemented through the established E-Democracy platform.

A Guide for Public Participation has been prepared and regular training is provided to drafters of regulations, both in the area of public participation and with regard to the application of the Methodology for assessing the impact of regulations on different sectors of society. This methodology requires a preliminary assessment of the impact of proposed legislation, including on the environment and spatial planning. The training of drafters in the application of the methodology started in autumn 2024.

The public also participates in the establishment of a larger protected area by a legislative act, where the ZON requires public notification and public presentation of a draft regulation. The public presentation takes place in the local communities in which the protected area is planned to be located. The public presentation is open to all residents and interested organisations. The same obligation applies in the case of an amendment to a legislative act on a protected area already established, if the amendment relates to the boundaries of the protected area or to the protection regime.

## XXV. Obstacles encountered in the implementation of article 8

*Describe any **obstacles encountered** in the implementation of article 8.*

*Answer:*

There has been some criticism that too little time is given for consultation and participation in the drafting of the rules. Some NGOs and individuals point out that public authorities often respond inadequately to the comments made by the public or do not respond at all. The problem is also evident in the case of regulations adopted under the fast-track procedure and therefore with a shorter public debate, which often confuses the public into thinking that no substantial changes have been made to the acts. The umbrella NGO organisation (CNVOS) maintains a tracker for violations of the Resolution, recording a high rate of breaches (63% during the current government's mandate since summer 2022).

There is also a perception that regulations that have been subject to public comment are further and excessively modified in subsequent adoption procedures, and that the public no longer has the opportunity to submit its views and comments throughout the adoption process.

## XXVI. Further information on the practical application of the provisions of article 8

*Provide further information on the **practical application of the provisions on public participation in the field covered by article 8.***

*Answer:*

We believe that Article 8 of the Convention is well and consistently implemented in practice. We provide an overview of the communication channels:

The e-Democracy Web Portal (e-Demokracija) is a public tool for informing the public that a regulation is in the process of being drafted. The online portal has been set up to publish draft regulations at different stages of their preparation. A simple tool allows the website visitor to comment on and write suggestions and send them directly to the Ministry preparing the regulation. Any user can view the published regulations and simplify their search through the list of regulations by using search parameters and a special tool for subscribing to the newsletter updates on proposals which are sent to their e-mail address.

The STOP the Bureaucracy Portal (Stop birokracija) is a one-stop-shop for receiving, discussing, solving and publishing content related to regulatory barriers and simplification of administrative procedures, as well as broader content on better regulation and reduction of identified regulatory burdens. The one-stop-shop provides a transparent system for the submission and follow-up of initiatives, combined with a single set of actions for a better regulatory and business environment.

The I Propose to the Government Portal (Predlagam Vladi) is an online tool for exchanging views, standpoints and opinions on various public issues. It gives the initiators the opportunity to present an issue that they believe is not adequately regulated by the Slovenian legislation, and at the same time to make a proposal for its regulation. All proposals are published. Other users can comment on the proposals or propose corrections. The final proposal prepared by the author of the original proposal, is put to the vote. If the proposal receives more votes *in favour* than *against*, and if at least 5% of active users have voted, the proposal is sent for consideration to the relevant Government body, which prepares an official response.

The Policy Hub Programme (Stičišče za oblikovanje politik) – A new project was launched in 2024 to strengthen the quality of development of public policies that contribute to the transition to a circular economy, in particular by involving relevant stakeholders in the early stages of policy making (and not only and exclusively in the public debate stage in relation to an already drafted regulation or other public policy). The Hub aims to create a "laboratory" environment where policy makers and stakeholders can work together to design, prototype and test innovative policies, regulations and public services to support the transition to a circular and low-carbon economy and society. It aims to build institutional capacity for participatory experimentation and innovation in the public sector, as well as to monitor and measure the impact of the actions implemented, using appropriate research and analytical methods to better understand the situation and make changes visible (e.g. indices).

## **XXVII. Website addresses relevant to the implementation of article 8**

*Give relevant website addresses, if available:*

[eGovernment - e-Democracy eGovernment – Is public participation in the process of drafting regulations mandatory?](#)  
[eGovernment - proposed regulations](#)  
[Guide for Public Participation](#)  
[E-Democracy Portal](#)  
[PredlagamVladi@gov.si](mailto:PredlagamVladi@gov.si)  
<https://www.cnvos.si/stevec-krsitev/>



## XXVIII. Legislative, regulatory and other measures implementing the provisions on access to justice in article 9

### List legislative, regulatory and other measures that implement the provisions on access to justice in article 9.

Explain how each paragraph of article 9 has been implemented. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9. Also, and in particular, describe:

- (a) With respect to **paragraph 1**, measures taken to ensure that:
  - (i) Any person who considers that his or her request for information under article 4 has not been dealt with in accordance with the provisions of that article has access to a review procedure before a court of law or another independent and impartial body established by law;
  - (ii) Where there is provision for such a review by a court of law, such a person also has access to an expeditious procedure established by law that is free of charge or inexpensive for reconsideration by a public authority or review by an independent and impartial body other than a court of law;
  - (iii) Final decisions under this paragraph are binding on the public authority holding the information, and that reasons are stated in writing, at least where access to information is refused;
- (b) Measures taken to ensure that, within the framework of national legislation, members of the public concerned meeting the criteria set out in **paragraph 2** have access to a review procedure before a court of law and/or another independent and impartial body established by law, to challenge the substantive and procedural legality of any decision, act or omission subject to the provisions of article 6;
- (c) With respect to **paragraph 3**, measures taken to ensure that where they meet the criteria, if any, laid down in national law, members of the public have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of national law relating to the environment;
- (d) With respect to **paragraph 4**, measures taken to ensure that:
  - (i) The procedures referred to in paragraphs 1, 2 and 3 provide adequate and effective remedies;
  - (ii) Such procedures otherwise meet the requirements of this paragraph;
- (e) With respect to **paragraph 5**, measures taken to ensure that information is provided to the public on access to administrative and judicial review.

*Answer:*

- a.) As described above, access to justice is guaranteed to anyone who finds that their request for information has been ignored, wrongfully refused or inadequately answered. The right to appeal is regulated by Article 27 of the ZDIJZ and allows the applicant to appeal against the decision by which the body rejected their request and against the decision by which the body dismissed their request. The appeal is decided upon by the Commissioner for Access to Public Information in accordance with the provisions of the general administrative procedure. In addition, judicial protection against the decision of the Commissioner for Access to Public Information is provided by means of an administrative dispute, under Article 31 of the ZDIJZ.

- b.) Pursuant to Article 160 of the Constitution, legal protection against general acts containing general standards is guaranteed before the Constitutional Court, whose position is regulated by the Constitutional Court Act (Official Gazette of the Republic of Slovenia UL RS [Uradni list RS], Nos 64/07, 109/12, 23/20 and 92/21 – ZUstS). Proceedings to review the constitutionality and legality of regulations and general acts for the exercise of public authority may be initiated on the basis of a request or a petition. Proceedings may be initiated by any person who, at the time of filing the petition, demonstrates a legal interest. A person has a legal interest in initiating proceedings “if a regulation or general act adopted for the exercise of public authority directly interferes with their rights, legal interests, or legal position.” In order to obtain a legal interest, the initiator must show that their rights have been affected. However, NGOs acting in the public interest do not have to prove this, but the interference with the interests of the environment is already understood as an interference with the legal interest of the NGO. In Slovenia, the Constitutional Court's practice in recognising the legal interest of NGOs and individuals in the field of environmental law has developed in favour of a broader recognition of the legal interest of individuals and NGOs in environmentally related matters. The Constitutional Court annuls or abrogates implementing regulations or general acts adopted for the exercise of public authority that are unconstitutional or unlawful. Any person who suffers harmful consequences as a result of a general act that has been annulled, has the right to request that the consequences be remedied.

Under Slovenian law, paragraph one of Article 157 of the Constitution provides that anyone who considers that a specific administrative act (e.g. a decision on the issue of a site permit) has violated any of their rights or legal benefits may institute proceedings before an administrative court (the so-called administrative dispute). This constitutional provision is being implemented on the basis of the Administrative Disputes Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 105/06, 107/09, 62/10, 98/11, 109/12, 10/17 and 49/23 – ZUS-1), which provides that in an administrative dispute, the judicial protection of the rights and legal benefits of individuals and organisations against decisions and actions of state authorities, local community authorities and bearers of public authority is provided in accordance with the methods and procedures laid down in that Act, unless any other form of judicial protection is provided by law for a particular case. In an administrative dispute, the court rules on the legality of final administrative acts which affect the legal status of the parties in the administrative procedure. The parties to an administrative dispute are the plaintiff, the defendant and the affected person with the status of a party, if so prescribed by law. According to the ZVO-2 and the Construction Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 199/21, 105/22, 133/23 and 85/24) NGOs may bring an action against a specific act (environmental consent, integral building permit) even if they did not participate in the administrative procedure for issuing the act. The law requires the exhaustion of legal remedies within the administrative procedure as a condition for initiating an administrative dispute.

- c.) Slovenia has little practice with legal protection against the adoption of acts that are not legally binding. The violation of the duty to conduct public consultations can be challenged before the Constitutional Court, provided the petitioner demonstrates a legal interest. However, the protection of the right to participate in the preparation of strategic plans before the Constitutional Court remains questionable. Therefore, as part of the ongoing review of the ZVO-2, we will also analyse the clarity and transparency of the current system, particularly in the light of the implementation of Article 9 (3) of the Convention.

In an administrative dispute, the courts may also adjudicate on the legality of individual acts and actions with which authorities have interfered with the human rights and fundamental freedoms of a plaintiff, unless another form of judicial protection has been guaranteed (Article 4 of the ZUS-1). In cases, where the actions of public authorities are contested, the provisions of the Act regulating the procedure of contesting an administrative act apply in the procedure.

The ZVO-2 regulates the above issue in a more specific manner. By defining the persons who have the right to express opinions and comments on programmes and

to participate in the environmental impact assessment, it also provides for the possibility of legal protection of this right in the event of its infringement. There is a legal basis for access to justice for the interested members of the public - NGOs and civil initiatives - in most administrative and judicial proceedings relating to environmental protection. In the ZVO-2 the "the interested public" is defined in general terms as the public affected or likely to be affected by, or having an interest in, environmental decision-making;

Article 103 of the ZVO-2 provides for access to justice in relation to environmental consents for interventions or environmental permits for installations generating industrial emissions. Among other things, it grants NGOs acting in the public interest (Article 237 of the ZVO-2) the right to bring an action directly in an administrative dispute in order to protect the public interest in environmental protection, even if they have not been a party or accessory participant to the procedure for the granting of the consent.

NGOs acting in the public interest in accordance with the ZON and the Rules on the criteria determining the significant achievements of an NGO in order to be granted the status of an NGO operating in the public interest in the field of environmental protection (Official Journal of the Republic of Slovenia, [*Uradni list RS*], No 46/19) may represent the interests of nature conservation in all administrative and judicial proceedings (Article 137 of the ZON). The status of NGO in the public interest is granted by decision of the Minister to an NGO that fulfils the conditions laid down in the Act governing NGOs (Article 138 of the ZON). More detailed criteria for demonstrating the significant achievements of the NGO's activities in the field of nature conservation in order to be granted this status are laid down in the above-mentioned Rules issued on the basis of paragraph five of Article 6 of the ZNOrg.

On the basis of the acquired status of acting in the public interest, both with regard to the environment and nature, NGOs acquire *ex lege* the right to participate in administrative and judicial proceedings, without having to prove their legal interest, as this is granted to them by the law itself.

- d.) The public is informed about access to administrative and judicial review through the websites of all relevant state bodies and courts, as well as through the websites of some NGOs.

## XXIX. Obstacles encountered in the implementation of article 9

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 9.*

*Answer:*

To date, no significant problems have been identified with the implementation of this Article. The Article has been transposed into national law through the general national system of legal protection. A more detailed analysis of the clarity and transparency of the existing system is being prepared, particularly in the light of the implementation of Article 9(3) of the Convention.

NGOs demand full equivalence of access to justice for NGOs with public interest status in the field of nature conservation and the environment. NGOs also consider that, as a result of the recent amendment to the Spatial Management Act and the related decision of the Constitutional Court, legal protection against spatial planning acts is no longer as effective as it was before the amendment to this Act. The current regulation, for example, regarding land use designation, only allows for a review of constitutionality and legality before the Constitutional Court.

## XXX. Further information on the practical application of the provisions of article 9

*Provide further information on the **practical application of the provisions on access to justice pursuant to article 9**, e.g., are there any statistics available on environmental justice and are there any assistance mechanisms to remove or reduce financial and other barriers to access to justice?*

*Answer:*

Despite the principled compatibility of Slovenian legislation with the third pillar of the Convention, it will be necessary to examine, in parallel with regional or international developments, how these provisions of the Convention can be made stronger, more effective and more practical in Slovenia.

## XXXI. Website addresses relevant to the implementation of article 9

*Give relevant website addresses, if available:*

[Constitution](#)  
=  
[Constitutional Court of the Republic of Slovenia](#)  
[Homepage - IPRS](#)  
[Administrative dispute | In court](#)

**Articles 10-22 are not for national implementation.**

## **XXXII. General comments on the Convention's objective**

*If appropriate, indicate how the implementation of the Convention contributes to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being.*

*Answer:*

By ratifying the Aarhus Convention, Slovenia has declared its commitment to the strengthening of civil society, to ensuring sustainable development and to improving the state of the environment both in our country and in the European region as a whole. The state of play in Slovenia in relation to its obligations under the Aarhus Convention shows that most areas are already satisfactorily regulated. However, the further implementation of the Convention, which brings systemic solutions, should focus even more on speeding up the implementation of the existing legislation and possible improvements to it, as well as a slightly better overview of the provision of adequate access to justice. New adjustments resulting from the implementation of the Convention at EU level and, consequently, from the implementation of EU law in Slovenia will also need to be taken into account.

### XXXIII. Legislative, regulatory and other measures implementing the provisions on genetically modified organisms pursuant to article 6 bis and Annex I bis

Concerning legislative, regulatory and other measures that implement the provisions on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms in article 6 bis, describe:

- (a) With respect to **paragraph 1 of article 6 bis** and:
  - (i) **Paragraph 1** of annex I bis, arrangements in the Party's regulatory framework to ensure effective information and public participation for decisions subject to the provisions of article 6 bis;
  - (ii) **Paragraph 2** of annex I bis, any exceptions provided for in the Party's regulatory framework to the public participation procedure laid down in annex I bis and the criteria for any such exception;
  - (iii) **Paragraph 3** of annex I bis, measures taken to make available to the public in an adequate, timely and effective manner a summary of the notification introduced to obtain an authorization for the deliberate release or placing on the market of such genetically modified organisms, as well as the assessment report where available;
  - (iv) **Paragraph 4** of annex I bis, measures taken to ensure that in no case the information listed in that paragraph is considered as confidential;
  - (v) **Paragraph 5** of annex I bis, measures taken to ensure the transparency of decision-making procedures and to provide access to the relevant procedural information to the public including, for example:
    - a. The nature of possible decisions;
    - b. The public authority responsible for making the decision;
    - c. Public participation arrangements laid down pursuant to paragraph 1 of annex I bis;
    - d. An indication of the public authority from which relevant information can be obtained;
    - e. An indication of the public authority to which comments can be submitted and of the time schedule for the transmittal of comments;
  - (vi) **Paragraph 6** of annex I bis, measures taken to ensure that the arrangements introduced to implement paragraph 1 of annex I bis allow the public to submit, in any appropriate manner, any comments, information, analyses or opinions that it considers relevant to the proposed deliberate release or placing on the market;
  - (vii) **Paragraph 7** of annex I bis, measures taken to ensure that due account is taken of the outcome of public participation procedures organized pursuant to paragraph 1 of annex I bis;
  - (viii) **Paragraph 8** of annex I bis, measures taken to ensure that the texts of decisions subject to the provisions on annex I bis taken by a public authority are made publicly available along with the reasons and the considerations upon which they are based;

(b) With respect to **paragraph 2 of article 6 bis**, how the requirements made in accordance with the provisions of annex I bis are complementary to and mutually supportive of the Party's national biosafety framework and consistent with the objectives of the Cartagena Protocol on Biosafety to the Convention on Biodiversity.

*Answer:*

The Management of Genetically Modified Organisms Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 23/05, 21/10 and 90/12, hereinafter: ZRGSO) also regulates the requirements for public participation in procedures and other activities related to genetically modified organisms (GMOs).

Article 3 of the ZRGSO states that the public has the right to be informed about the management of GMOs, and to be involved in the procedure for issuing permits. Data on contained use of GMOs, the deliberate release of GMOs into the environment and the placing on the market of products, as well as data on the procedures and activities of ministries responsible for the management of GMOs are also public (Article 12 of the ZRGSO).

In respect of the procedure for public participation in the decision-making process on the deliberate release of GMOs into the environment, Article 34 of the ZRGSO stipulates that the Ministry must provide the public with access to the technical documentation, the risk assessment and the opinion of the GMO Release Committee, as well as a public debate on the deliberate release. The public notification indicating the place and time of access to the documentation and the public debate as well as the manner of submitting opinions and comments, must be published in the public media. The period during which the Ministry provides access to the documentation and during which the public can submit their opinions and comments may be a minimum of 15 days and a maximum of 30 days. It does not count towards the time limit for issuing the permit. In the statement of reasons for the decision on the permit, the Ministry must also state its position on the opinions and comments of the general public expressed during the public debate. Similarly, in the procedure for issuing a permit for the contained use of GMOs of Safety Class 3 or 4, the Ministry must provide the public with access to the application and risk assessment, hold a public debate and include a statement of the public's views in the permit (Article 19 of the ZRGSO).

Article 35 of the ZRGSO requires the Ministry to inform the public about new data and changes that have occurred after the issue of a permit for the deliberate release of a GMO into the environment, and about decisions taken in this regard. Permits for the placing on the market of a product, with the exception of data protected as confidential and the risk assessment are available to the public (Article 45 of the ZRGSO).

In addition to the above provisions, the following provisions are also relevant for information and notification to the public. Article 7 of the ZRGSO stipulates that the task of the GMO Management Committee is to raise public awareness of and inform the public about the status and development of the field of the use of genetic technologies and the management of GMOs, its positions and opinions, and its work. The Scientific Committee for the Deliberate Release of GMOs into the Environment and the placing of products on the market publishes an annual report on its work during the previous year, which is available to the public.

In the event of an accident, the Ministry must, within three months, prepare and publish a report on the details of the circumstances of the accident, the type and quantity of GMOs and the measures taken and their effectiveness as well as on the analysis of the accident, including recommendations for limiting its effects and preventing similar accidents in the future, which must be made public (Article 11a of the ZRGSO).

Article 13 of the ZRGSO provides for a subsidiary obligation of the State that, where the State is responsible under this Act for ensuring that measures are taken to reduce or eliminate the consequences of adverse effects arising from work with GMOs, the preparation and implementation of such measures must be ensured by the Ministry. The Ministry informs the general public and the competent bodies of neighbouring countries if the adverse effects could have consequences for the environment or human health in these countries.

#### **XXXIV. Obstacles encountered in the implementation of article 6 bis and annex I bis**

*Describe any **obstacles encountered** in the implementation of any of the paragraphs of article 6 bis and annex I bis.*

*Answer:*

No obstacles have been detected in practice.

#### **XXXV. Further information on the practical application of the provisions of article 6 bis and annex I bis**

*Provide further information on the **practical application of the provisions on public participation in decisions on the deliberate release into the environment and placing on the market of genetically modified organisms in article 6 bis**, e.g., are there any statistics or other information available on public participation in such decisions or on decisions considered under paragraph 2 of annex I bis to be exceptions to the public participation procedures in that annex?*

*Answer:*

In the field of GMO's, there are two public registers in Slovenia:

- the GMO Register under the Management of Genetically Modified Organisms Act (the ZRGSO), and
- the Register of GMO producers under the Act on the Co-existence of Genetically Modified Plants with Other Agricultural Plants (the ZSGSROKR).

Responsibility in this area is shared between the Ministry of Agriculture, Forestry and Food (MKGP), the Ministry of the Environment, Climate and Energy (MOPE) and the Ministry of Health (MZ).

The Ministry of Agriculture, Forestry and Food is responsible for GMOs in food and feed, while the Ministry of Health is responsible for food supplements and food for special groups. The rest is the responsibility of the Ministry of the Environment, Climate and Energy.

In addition to the ZRGSO, national legislation on genetically modified organisms is contained in several laws:

- Restriction or Prohibition of the Cultivation of Genetically Modified Plants Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No 69/15);
- Animal Feed Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 127/06 and 90/12 - ZdZPVHVVR);
- Co-existence of Genetically Modified Plants with Other Agricultural Plants Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 41/09 and 69/15);
- Act Regulating the Sanitary Suitability of Foodstuffs, Products and Materials Coming into Contact with Foodstuffs (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 52/00, 42/02 and 47/04 – ZdZPZ);
- Agricultural Seeds and Propagating Material Act (Official Gazette of the Republic of Slovenia [Uradni list RS], Nos 25/05-UPB, 41/09, 32/12 in 90/12 – ZdZPVHVVR in 22/18).

#### **XXXVI. Website addresses relevant to the implementation of article 6 bis**

*Give relevant website addresses, if available, including website addresses for registers of decisions and releases related to genetically modified organisms:*



*Answer:*

<https://www.gov.si/drzavni-organi/ministrstva/ministrstvo-za-okolje-podnebje-in-energijo/zakonodaja/>

<http://www.uvhvvr.gov.si/si/>

<http://www.mz.gov.si/>

<https://www.gov.si/drzavni-organi/ministrstva/ministrstvo-za-okolje-podnebje-in-energijo/><https://www.gov.si/podrocja/okolje-in-prostor/okolje/biotehnologija/>

## **XXXVII. Follow-up on issues of compliance**

*If, upon consideration of a report and any recommendations of the Compliance Committee, the Meeting of the Parties at its last session has decided upon measures concerning compliance by your country, please indicate (a) what were the measures; and (b) what specific actions your country has undertaken to implement the measures in order to achieve compliance with the Convention.*

*Please include cross-references to the respective sections, as appropriate.*

*Answer:*

No proceedings have been initiated against Slovenia before the Committee for failure to comply with the provisions of the Convention.