

Questionnaire for the

**REPORT OF SLOVENIA ON THE IMPLEMENTATION
OF THE CONVENTION ON ENVIRONMENTAL
IMPACT ASSESSMENT IN A TRANSBOUNDARY
CONTEXT**

in the period 2006–2009

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PART ONE – CURRENT LEGAL AND ADMINISTRATIVE FRAMEWORK FOR THE IMPLEMENTATION OF THE CONVENTION

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not experience in the application of the Convention.

Article 2

General Provisions

DOMESTIC IMPLEMENTATION OF THE CONVENTION

1. *List the general legal, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2.2).*

The legal basis are:

- Ratification of the Convention on Environmental Impact Assessment in a Transboundary Context Act, Official Gazette of the Republic of Slovenia, no. 39/2006.

- Environmental Protection Act (Official Gazette of the Republic of Slovenia, nos. 70/2008 of 11.7.2008, 108/2009 of 28.1.2009) .

- Decree on the types of activity for which an environmental impact assessment is mandatory, Official Gazette of the Republic of Slovenia, no. 32/2009 of 24.4. 2009.

- Ratification of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context, Official Gazette of the Republic of Slovenia, no. 11/2010 of 16.2.2010.

2. *Indicate any further measures to implement the provisions of the Convention that are planned for the near future.*

Future measures to implement the provisions of the Convention are not planned.

TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE

3. *Describe your country's national and transboundary environmental impact assessment (EIA) procedures and authorities (art. 2.2):*
 - a. *Describe the EIA procedure in your country and indicate which steps of the EIA procedure include public participation;*

A proposer submits an application for environmental consent, together with an environmental report and location information to the competent authority in Slovenia, which is the Agency of the Republic of Slovenia for the Environment, with responsibility for conducting the EIA process, for making final decisions and for issuing environmental consent.

The competent authority then reviews the submitted documentation and prepares a draft environmental consent.

The competent authority also arranges a public announcement and public presentation of the EIA documentation and draft decision. The public participation time in the stage of EIA documentation and draft decision is 30 days.

After all comments from the public participation have been considered, the competent authority accepts the final decision, which is the environmental consent.

- b. Describe how the different steps of the transboundary EIA procedure set out in the Convention fit into your country's national EIA procedure;*

All steps of the transboundary EIA procedure fit into the national EIA procedure.

- c. List the different authorities that are named responsible for different steps of the transboundary EIA procedure (notification, consultation between Parties, public participation, etc.). Also list the authorities responsible for the domestic EIA procedure, if they are different;*

The Ministry of the Environment and Spatial Planning is responsible for preparation of notification. The Ministry of Foreign Affairs is responsible for delivering notification.

The Ministry of the Environment and Spatial Planning is responsible for consultation between Parties.

The Environmental Agency of the Republic of Slovenia is responsible for public participation. It is also responsible for conducting the EIA procedure and issuing the environmental consent for a domestic EIA procedure. Other ministries and competent authorities with specific responsibilities are consulted within the process of domestic and transboundary impact assessment.

- d. Is there one authority in your country that collects information on all the transboundary EIA cases? If so, name it. If not, does your country intend to establish such an authority?*

There is one authority that collects information on all the transboundary EIA cases, which is Ministry of the Environment and Spatial Planning, with responsibility for monitoring the implementation of the Convention.

- 4. Does your country have special provisions for joint cross-border projects (e.g. roads, pipelines)?*

Slovenia does not have special provisions for joint cross-border projects in its legislation. The provisions are the same for all activities that are subject to the EIA procedure.

IDENTIFICATION OF A PROPOSED ACTIVITY REQUIRING ENVIRONMENTAL IMPACT ASSESSMENT UNDER THE CONVENTION

- 5. Is appendix I to the Convention transposed into your country's national legislation? Does your country's legislation already cover the revised appendix I in the second amendment (ECE/MP.EIA/6, decision III/7), and if so, how? Please describe any differences between the national list and appendix I to the Convention. Please explain how your country*

interprets terms such as “large” and “major” used in appendix I (including in items 4, 8, 11, 14, 16, 17 and, as appropriate, 22).

Appendix I is transposed into national legislation as the national list in the Decree on the types of activity for which an environmental impact assessment is mandatory (Official Gazette of the Republic of Slovenia, no. 32/2009 of 24.4. 2009). National legislation already covers the revised appendix I in the second amendment. There is no difference between the national list and appendix I to the Convention.

Item 4: A major installation for the initial smelting of cast-iron and steel and for the production of non-ferrous metal is the same.

Item 8: 'Large diameter oil and gas pipelines' is transposed into Slovenian legislation as 'large diameter oil and gas pipelines with a diameter of more than 800 mm and length more than 40km'.

Item 11: 'Large dams and reservoirs' is transposed into Slovenian legislation as 'large dams or reservoirs in which the new or additional amount of water represents more than 10 million m³'.

Item 14: 'Major mining, on-site extraction and processing of metal ores or coal' is transposed in to Slovenian legislation as 'major mining, on-site extraction and processing of metal ores or coal, whereby the mining area is 25 ha or more.

Item 16: 'Major storage facilities for petroleum, petrochemical and chemical products' is transposed into Slovenian legislation as 'storage facilities for petroleum, petrochemical and chemical products of more than 200,000 tons'.

Item 17: Deforestation of large areas is not interpreted, since it is prohibited by the Forestry Act.

6. *Please describe:*

- a. *The legislation and, where appropriate, the procedures your country would apply to determine that an “activity”, or a change to an activity, falls within the scope of appendix I (art. 2.3), or that an activity not listed should be treated as if it were (art. 2.5);*

Decree on the types of activity for which an environmental impact assessment is mandatory, (Official Gazette of the Republic of Slovenia, no. 32/2009 of 24.4. 2009) determines the activities or a change to an activity, which fall within the scope of appendix I.

Article 4 of the decree also defines activities not listed in appendix I that are subject to EIA. The list consists of activities in the fields of agriculture, forestry and fisheries, water management, energy and mining, traffic and telecommunications, industry, metal production, infrastructure, tourism and other activities.

- b. *How your country conducts transboundary EIA cooperation (through points of contact, through joint bodies or within bilateral or multilateral agreements);*

Slovenia conducts transboundary EIA cooperation through points of contact.

- c. *How a change to an activity is considered as a “major” change;*

The definition "major" change is not used, but EIA is mandatory in the case of extension, reconstruction or other enlargement connected to an existing activity from the list of activities.

- d. *How such an activity, or such a change to an activity, is considered "likely" to have a "significant" adverse transboundary impact (art. 2.3 and 2.5, and the Guidelines in appendix III).*

An activity is assessed in the environmental report and the likely significant impact or non-impact is described and proved in the report. Due to article 2.3 the environmental report is presented to the competent authority prior to a decision to authorize or undertake.

Slovenia has adopted a list of activities that are not in appendix I, but that are subject to EIA.

PUBLIC PARTICIPATION

7. *Does your country have its own definition of "the public" in national legislation, compared to article 1(x)? How does your country, together with the affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to your country's public as required in article 2, paragraph 6?*

In terms of legislative provision, we define the public and ensure that the same EIA documentation that is presented to the public within the country is sent to the neighbouring country authority to be able to present it to their own public. We provide an opportunity for the public in areas likely to be affected to participate in relevant environmental impact assessment procedures regarding proposed activities and ensure that the opportunity provided to our public is equivalent to that provided to the public of the affected Party.

Article 3

Notification

QUESTIONS TO PARTY OF ORIGIN

8. *Describe how your country determines when to send the notification to the affected Party, which is to occur "as early as possible and no later than when informing its own public"? At what stage in the EIA procedure does your country usually notify the affected Party (art. 3.1)*

We usually inform the affected Party after the competent authority has received the EIA report and before we inform our own public. Art. 59 of the national Environment Act specifies the responsibility to inform the affected Party before the public hearing.

9. *Does your country provide any information to supplement that required by article 3, paragraph 2?*

No supplementary information in addition to article 3/2 is prescribed by legislation.

10. *Does your country use the format for notification (as decided by the first meeting of the Parties, decision I/4, in document ECE/MP.EIA/2)? If not, in what format does your country normally present the notification?*

The format for notification is not used directly. The custom of a letter notification is followed but all parts of the information from the notification format are part of the letter.

11. Describe the criteria your country uses to determine the time frame for the response to the notification from the affected Party (art. 3.3, “within the time specified in the notification”)? What is the consequence if an affected Party does not comply with the time frame? If an affected Party asks for an extension of a deadline, how does your country react?

Slovenia provides an indication of a reasonable time within which a response is required, taking into account the nature of the proposed activities. The proposed time is usually 1-2 months.

If the party does not comply with the time frame, further national procedures continue within the country, such as public hearing, consultation and acceptance.

If an affected Party asks for an extension of the deadline within the proposed time framework, we agree to an extension of the deadline.

12. Describe when your country provides relevant information regarding the EIA procedure and proposed activity and its possible significant adverse transboundary impact as referred to in article 3, paragraph 5. Already with the notification, or later in the procedure?

All relevant information is within the EIA report, which is sent to the affected party within the notification procedure.

13. How does your country determine whether it should request information from the affected Party (art. 3.6)? When does your country normally request information from the affected Party? What kind of information does your country normally request? How does your country determine the time frame for a response from the affected Party to a request for information, which should be “prompt” (art. 3.6)?

Within the reporting period, we did not request any additional data for the preparation of EIA documentation from an affected Party.

14. Please describe:

a. How your country cooperates with the authorities of the affected Party on public participation (art. 3.8), taking into account that the Party of origin and affected Party are both responsible;

We cooperate with the affected Party and define the time for public participation and common documentation

b. How your country identifies, in cooperation with the affected Party, the “public” in the affected area;

Since both parties are responsible, we send the documentation to the focal point and propose that public participation be prepared by the affected Party.

c. How the public in the affected Party is notified (what kinds of media, etc are usually used). What is normally the content of the public notification?;

Web pages, electronic media, newspapers.

The content of public notification is information on the EIA procedure with EIA documentation and draft environmental consent.

d. Whether the notification to the public of the affected Party has the same content as the notification to your country’s public. If not, describe why not. At what stage in the EIA procedure does your country normally notify the public of the affected Party?

We usually notify the affected Party when we have received the EIA documentation from the Environmental Agency . The notifying activity is before the public hearing, at the stage when the EIA report and draft environmental consent are being prepared

There are no cases in which we inform the public of the affected Party directly since public participation is a shared responsibility of the affected Party and the Party of origin. We always inform the environmental authority.

15. *Does your country make use of contact points for the purposes of notification as decided at the first meeting of Parties (ECE/MP.EIA/2, decision I/3), and as listed on the Convention website (http://www.unece.org/env/eia/points_of_contact.htm)?*

Yes, we make use of contact points for the purpose of notification.

QUESTIONS TO AFFECTED PARTY

16. *Describe the process of how your country decides whether or not to participate in the EIA procedure (art. 3.3)? Who participates in the decision-making, e.g. central authorities, local competent authorities, the public, environmental authorities? Describe the criteria or reasons your country uses to decide.*

The process of deciding whether or not to participate consists of an internal participation procedure, in which the relevant environmental, culture heritage or health authorities are informed and asked for an opinion on possible environmental transboundary effects. Their opinion is based on the criteria prescribed by relevant legislation.

17. *When the Party of origin requests your country to provide information relating to the potentially affected environment, how does your country determine what is “reasonably obtainable” information to include in its response? Describe the procedures and, where appropriate, the legislation your country that would apply in determining the meaning of “promptly” in the context of responding to a request for information (art. 3.6)*

Reasonably obtainable information of the potentially affected environment would be existing public data on the environment (monitoring) and information on existing "environmental" permission and environmental report. "Promptly" would mean within a period of a month.

18. *Please describe:*

a. *How your country cooperates with the authorities of the Party of origin on public participation (art. 3.8), taking into account that the Party of origin and affected Party are both responsible;*

We abide by the obligation under art. 3.8 that the concerned Parties shall ensure that the public of the affected Party in areas likely to be affected is informed. We prepare the same documentation as for our own public and a non-technical summary in the language of a possible affected Party and send it to focal points for public participation and opinion.

b. *How your country identifies the “public” in the affected area;*

The public is defined as one or more natural or legal persons and, in accordance with national legislation, their associations, organisations and groups.

c. *How the public is notified (e.g. what kinds of media, etc., are usually used). What is normally the content of the public notification?;*

Public participation is prescribed by the Environmental Protection Act. The public have an opportunity to see all documents within the EIA procedure, the EIA report, draft environmental consent, and to write comments.

The competent authority is responsible for presenting information in local newspapers, electronic media and in one newspaper that the whole country about:

- the proposal for EIA,
- the affected area,
- transboundary participation,
- contacts for sending opinions and remarks.

d. At what stage in the EIA procedure does your country normally notify its public?

Slovenia notifies its own public after the competent authority has received all documentation and prepared a draft environmental consent.

Article 4

Preparation of the environmental impact assessment documentation

QUESTIONS TO PARTY OF ORIGIN

19. What is the legal requirement for the minimum content of the EIA documentation (art. 4.1, appendix II)?

The minimum content of EIA documentation is defined by art. 54 of the national Environmental Protection Act as follows:

- a description of the existing state of the environment;
- a description of EIA activity, including its purpose, location and measures,
- a description of mitigation measures to keep the adverse environmental impact to a minimum,
- a description, where appropriate, of reasonable alternatives (for example, locational or technological) to the proposed activity and also a no-action alternative,

20. Describe your country's procedures, if any, for determining the content of the EIA documentation on a case-by-case basis (scoping procedure) (art. 4.1).

There are no country procedures prescribed.

21. How does your country identify "reasonable alternatives" in accordance with appendix II, paragraph (b)?

Reasonable alternatives are defined from case from case and depend on activities and location and technological possibilities.

22. How does your country identify "the environment that is likely to be affected by the proposed activity and its alternatives" in accordance to appendix II, paragraph (c), and how does it define "impact" in accordance with article 1(vii)?

It is defined through the EIA procedure.

23. Does your country give the affected Party all of the EIA documentation (art. 4.2)? If not, which parts of the documentation does your country provide?

Yes, we give all the EIA documentation

24. *How does your country cooperate with the authorities of the affected Party on distribution of the EIA documentation and the submission of comments (art. 4.2), taking into account that the Party of origin and affected Party are both responsible? How does the competent authority in your country (as the Party of origin) deal with the comments (art. 4.2)?*

Slovenia cooperates with the authorities of the affected Party and prepares the documentation in a form for public participation.

25. *Describe the procedures and, where appropriate, the legislation that define the time frame for comments provided “within a reasonable time before the final decision” (art. 4.2)? What is the consequence if the affected Party does not comply with the time frame? If an affected Party asks for an extension of a deadline, how does your country react?*

Slovenia has no definition of the time frame for comments in the legislation. We propose a reasonable time for comments. If the affected Party does not comply with the time frame, the internal procedures in the state follow. If the affected Party asks for an extension of the deadline, we usually agree.

26. *What material does your country provide, together with the affected Party, to the public of the affected Party?*

The material provided is the same as for our public:

- EIA report,
- project.
- EIA draft decision.

27. *Does your country initiate a public hearing for the affected public, and at what stage, whether in the affected Party, in your country or as a joint hearing? If a public hearing is held in your country, as Party of origin, can the public of the affected Party, public authorities, organizations or other individuals come to your country to participate?*

Slovenia proposes a public hearing in the affected Party after preparation of the EIA report. A joint hearing has never been proposed, but the public from the affected Party has on occasion come to the public hearing in Slovenia wishing to participate. They have been given the opportunity of participating: they have written comments in the comment booklet and have studied the documentation. Since we accept the same comments also in an organised way by the affected Party, we are in favour of an organised approach to public participation, which means a public hearing on both sides of the borders and comments via the affected Party to the Party of origin.

QUESTIONS TO AFFECTED PARTY

28. *Describe the procedures and, where appropriate, the legislation your country would apply to determine the meaning of the words “within a reasonable time before the final decision”, this being the time frame for comments (art. 4.2)?*

Environmental legislation in Slovenia does not determine the meaning of the words "within a reasonable time frame for comments". We propose a reasonable time by letter.

29. *How does your country cooperate with the authorities of the Party of origin on the distribution of the EIA documentation and the submission of comments (art. 4.2), taking into account that the Party of origin and affected Party are both responsible?*

We cooperate with the Party of origin by sending the comments from the public hearing, comments from ministries and organisations in an organised way

30. *Who is responsible for the organization of the public participation in the affected Party? Is the public participation normally organized in accordance with your legislation as the affected Party, with the legislation of the Party of origin, with ad hoc procedures, or with bilateral or multilateral agreements?*

The public hearing is the responsibility of the affected Party, since it is held on their territory. Public participation is normally organised in accordance with our legislation even if we are in the position of the affected Party.

The legislation prescribes a public hearing and a 30-day time frame for it.

Article 5

Consultations

QUESTIONS TO PARTY OF ORIGIN

31. *At which step of the EIA procedure does the consultation in accordance with article 5 generally take place? Describe the procedures and, where appropriate, the legislation your country would apply to determine the meaning of “undue delay”, with regard to the timing of the entry into consultation? Does your country normally set the duration for consultations beforehand? If there seems to be no need for consultation, how does your country determine not to carry out consultations?*

Consultation on the basis of the environmental report usually takes place after the public hearing, sometimes also only after receiving the documentation. If there is no need for consultation, we send the comments.

32. *On what level do you arrange for consultation: national, regional or local? Who usually participates in the consultation? Describe the responsibilities of the authorities involved. By what means do you usually communicate in consultations, for example by meeting, exchange of written communications?*

We organise consultation on a national level. The competent authority usually leads the consultation, but a team of experts presents the documentation. Communication in consultation is oral at technical consultation meetings and written by sending comments.

QUESTIONS TO AFFECTED PARTY

33. *On what level is the consultation normally held: national, regional or local? Who normally participates in the consultation? By what means does your country usually communicate in consultations, for example by meeting or by the exchange of written communications? How does your country indicate if there is no need for consultations?*

Consultation is normally held on a national level. The involved authorities are present as participants in the consultation as well as experts.

Slovenia communicates in writing.

We do not have any case without the need for communication.

Article 6

Final decision

QUESTIONS TO PARTY OF ORIGIN

34. *For each type of activity listed in appendix I, identify what is regarded as the “final decision” to authorize or undertake a proposed activity (art. 6 in conjunction with art. 2.3);*

also provide the term used in the national legislation in the original language. Do all projects listed in appendix I require such a decision?

For each type of activity listed in appendix I, the final decision ending the EIA procedure is prescribed as an environmental decision called : "okoljevarstveno soglasje." in the Slovenian language.

35. *How does the EIA procedure (including the outcome) in your country, whether or not transboundary, influence the decision-making process for a proposed activity (art. 6.1)?*

The EIA procedure in Slovenia influences the decision making process for a proposed activity. Without a positive "okoljevarstveno soglasje" no further action, including a building permit, is possible.

36. *Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6.1)?*

Yes, comments are taken into account in the same way.

37. *How is the obligation to submit the final decision to the affected Party normally fulfilled? Does the final decision contain the reasons and considerations on which the decision is based? (art. 6.2)*

Normally the final decision is sent to the affected Party and the obligation is fulfilled. The final decision contains the main reasons and considers main reasons on which the decision is based.

38. *If additional information becomes available according to article 6, paragraph 3, before the activity commences, how does your country consult with the affected Party? If need be, can the decision be revised? (art. 6.3)*

Slovenia has had no experience with article 6.3 within this reporting period.

Article 7

Post-Project Analysis

39. *How does your country determine whether it should request a post-project analysis to be carried out (art. 7.1)?*

We determine the need for post-project analysis within the EIA procedure.

40. *Where, as a result of post-project analysis, it is concluded that there is a significant adverse transboundary impact by the activity, how does your country inform the other Party and consult on necessary measures to reduce or eliminate the impact pursuant to article 7, paragraph 2?*

We do not have experience with article 7/2.

Article 8

Bilateral and multilateral agreements

41. *Does your country have any bilateral or multilateral agreements based on the Convention (art. 8, appendix VI)? If so, list them. Briefly describe the nature of these agreements. To what extent are these agreements based on appendix VI and what issues do they cover? If publicly available, also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.*

Slovenia has no bilateral or multilateral agreements based on the Convention.

42. *Has your country established any supplementary points of contact pursuant to bilateral or multilateral agreements?*

No.

Article 9

Research programmes

43. *Are you aware of any specific research in relation to the items mentioned in article 9 in your country? If so, describe it briefly.*

Not yet.

Ratification of the amendments to the Convention and of the Protocol on Strategic Environmental Assessment

44. *If your country has not yet ratified the first amendment to the Convention, does it have plans to ratify this amendment? If so, when?*

Slovenia has not ratified the first amendment to the Convention. Ratification is planned in 2011.

45. *If your country has not yet ratified the second amendment to the Convention, does it have plans to ratify this amendment? If so, when?*

Slovenia has not ratified the second amendment to the Convention. Ratification is planned in 2011.

46. *If your country has not yet ratified the Protocol on SEA, does it have plans to ratify the Protocol? If so, when?*

Slovenia ratified the Protocol on SEA in February 2, 2010.

PART TWO – PRACTICAL APPLICATION DURING THE PERIOD 2006–2009

Please report on your country's practical experiences of applying the Convention (not your country's procedures described in part one), whether as Party of origin or affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice; the goal is to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve its application.

CASES DURING THE PERIOD 2006–2009

47. *Does your country's national administration have information on the transboundary EIA procedures that were under way during the period? If so, please list these procedures, clearly identifying for each whether your country was the Party of origin or the affected Party. If your country does not have any experience of applying the Convention, why not?*

The Slovenian national administration has information on transboundary EIA procedures that were under way during the period.

List of procedures:

EIA transboundary procedure Liquid Natural Gas Terminal Žavlje,
EIA transboundary procedure Liquid Natural Gas Terminal Off-shore,
EIA transboundary procedure Gas Pipeline Trieste - Gradež,

EIA transboundary procedure Installations for the initial smelting of cast iron and steel Livarna Gorica,
EIA transboundary procedure Dam for Hydropowerstation Krško,
EIA transboundary procedure Waste Disposal Installation Heuligenkreuz,
EIA transboundary procedure Gas Pipeline Zlobin-Rupa.

48. *Does your country object to the above list of transboundary EIA procedures being included in a compilation of such procedures to be made available on the website of the Convention? (Indicate “yes” if you object.)*

Yes.

49. *Are there projects other than those mentioned above for which a transboundary EIA procedure should have been applied, but was not? Explain why.*

No.

50. *Provide information on the average duration of transboundary EIA procedures, both of the individual steps and of the procedures as a whole.*

Average duration is 2.5 years.

EXPERIENCE OF THE TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE IN 2006–2009

51. *If your country has had practical experience, has the implementation of the Convention supported the prevention, reduction or control of possible significant transboundary environmental impacts? Provide practical examples if available.*

Implementation of the Convention has supported the prevention, reduction and control of possible significant transboundary environmental impacts.

52. *How has your country interpreted in practice the various terms used in the Convention, and what criteria has your country used to do this? Key terms include the following: “major change” (art. 1 (v)), “a reasonable time” (art. 3.2(c), art. 4.2), “promptly” (art. 3.6) and “a reasonable time frame” (art. 5). (Do not provide references to answers to earlier questions 6 (b), 11, 13, 25 and 31.) If your country experiences substantial difficulties interpreting particular terms, does your country work together with other Parties to find solutions? If not, how does your country overcome the problem?*

We have had difficulties interpreting a reasonable time frame and we have worked together with other party to find a solution.

53. *Please share with other Parties your country’s experience of using the Convention in practice. In response to each of the questions below, either provide one or two practical examples or describe your country’s general experience. You might also include examples of “lessons learned” in order to help others.*

a. *How in practice has your country identified transboundary EIA activities for notification under the Convention, and determined the significance and likelihood of adverse transboundary impact?;*

Slovenia has identified transboundary EIA activities for notification by the responsible authority by checking the EIA report.

- b. *Indicate whether a separate chapter is provided on transboundary issues in the EIA documentation. How does your country determine how much information to include in the EIA documentation?;*

The Decree on the content of the EIA report determines how much information is included in the report. A separate chapter on transboundary issues is not an obligation under the legislation.

- c. *What methodology does your country use in impact assessment in the (transboundary) EIA procedure (e.g. impact prediction methods and methods to compare alternatives)?;*

Slovenia has used impact prediction methods as in national procedures.

- d. *Translation is not addressed in the Convention. How has your country addressed the question of translation? What does your country usually translate? What difficulties has your country experienced relating to translation and interpretation, and what solutions has your country applied?;*

Translation is the main technical problem during the procedure. The documentation received by Italy for gas terminals in the Italian language was translated by the Slovenian authority. It takes a lot of time and financial sources. Interpreters were present at technical meetings.

We think that the question of translation should be settled by the Party of origin, on the polluter pays principle. Agreement on each case has taken time and lengthened the procedure.

- e. *How has your country organized transboundary public participation in practice? As Party of origin, has your country organized public participation in affected Parties and, if so, how? What has been your country's experience of the effectiveness of public participation? Has your country experienced difficulties with the participation of its public or the public of another Party? (e.g. have there been complaints from the public about the procedure?);*

Public participation is always organised according to Slovenian legislation and Slovenia has organized public participation in practice.

The public has been informed by the media and all documentation has been on the internet and in papers in the area of possible transboundary effects, for the purpose of obtaining comments. Received comments have been collected and sent to the Party of origin.

Public participation has been effective, especially when there have been an active approach from the authority. We have not experienced difficulties with the participation of the public or the public of the other Party.

We define the transboundary procedure in such a way that all comments from our country are sent to the neighbouring country in an organised way by the Ministry of the Environment.

In one case we, as the Party of origin, received comments from both sides of the border within the national EIA procedure and within the transboundary EIA procedure, after sending the material to the affected Party, which was more complicated and double work.

- f. *Describe any difficulties that your country has encountered during consultations, for example over timing, language and the need for additional information. As an affected Party, have consultations under article 5 supported the prevention, reduction or control of possible significant transboundary environmental impacts?;*

Our country has lengthy preparation for a public hearing, so it usually takes several months, especially if the documents are not in the Slovene language. By law, the official documentation must be in the Slovenian language, so a public hearing with documents in another language is not possible.

There is also a need for additional information to the Party of origin specially in the case when transboundary effects were not part of the EIA documentation.

There was a difficulty in one case that we, as affected Party, organized a public hearing but, during the public hearing, the Party of origin adopted an official decision. It caused a very negative effect in public and complaints from NGOs (LNG Terminal Žavlje).

- g. *Describe examples of the form, content and language of the final decision, when it is issued and how it is communicated to the affected Party and its public;*

The form of final decision consists of the legislative base, the purpose of the activity, the affected area and the area of activity, measures to reduce the effects, conditions, the opinions of ministries and organisations, main project activities, information on transboundary effects and monitoring.

The language of the final decision is Slovene.

- h. *Has your country carried out post-project analyses and, if so, on what kinds of project?;*

We have not yet any experience in post-project analysis in transboundary cases.

- i. *Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects? Please provide information on your country's experiences describing, for example, means of cooperation (e.g. contact points, joint bodies, bilateral agreements), institutional arrangements, and how practical matters are dealt with (e.g. translation, interpretation, transmission of documents, etc.);*

No experience in transboundary cases for cross-border projects.

- j. *Name examples of good practice cases, whether complete cases or good practice elements (e.g. notification, consultation or public participation) within cases. Would your country like to introduce a case in the form of a Convention's "case study fact sheet" ?;*

No.

- k. *Identify the most common means of applying the Convention (e.g. through focal points, joint bodies, multilateral agreements).*

Focal points.

CO-OPERATION BETWEEN PARTIES IN 2006–2009

54. *Does your country have any successful examples of how it has overcome difficulties arising from different legal systems in neighbouring countries?*

No successful example yet.

EXPERIENCE IN USING THE GUIDANCE IN 2006–2009

55. *Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online? Describe your country's experience with using these guidance documents and how they might be improved or supplemented:*

a. *Guidance on public participation in EIA in a transboundary context;*

Slovenia uses guidelines on public participation and the experience in using them is positive. There has been no proposal for improvement.

b. *Guidance on subregional cooperation;*

Slovenia has not used such guidelines in practice.

c. *Guidelines on good practice and on bilateral and multilateral agreements.*

Slovenia has used guidelines on good practice

CLARITY OF THE CONVENTION

56. *Has your country had difficulties implementing the procedure defined in the Convention, either as Party of origin or as affected Party? Are there provisions in the Convention that are unclear? Describe the transboundary EIA procedure as applied in practice, where this has varied from that described in part one above or in the Convention. Also describe in general the strengths and weaknesses of your country's implementation of the Convention's transboundary EIA procedure, which your country encounters when applying the Convention.*

AWARENESS OF THE CONVENTION

57. *Has your country undertaken activities to promote awareness of the Convention among stakeholders (e.g. the public, local authorities, consultants and experts, academics, investors)? If so, describe them.*

Slovenia promotes awareness of the Convention among stakeholders.

58. *Does your country see a need to improve the application of the Convention in your country and, if so, how does it intend to do so? What relevant legal or administrative developments are proposed or ongoing?*

There is a possibility of improving the application of the Convention by better internal governance and administrative cooperation among the various ministries.

SUGGESTED IMPROVEMENTS TO THE REPORT

59. *Please provide suggestions for how this report may be improved.*

We do not have any suggestions for improvement of the report.

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