

OCENA IZVAJANJA UKREPOV NA PRESEČNIH PODROČJIH TREH GLOBALNIH KONVENCIJ



*Assessment of implementation of measures in
cross-cutting areas of the three
global conventions*



REGIONALNI CENTER ZA OKOLJE
za srednjo in vzhodno Evropo



Tematski profil je pripravil:

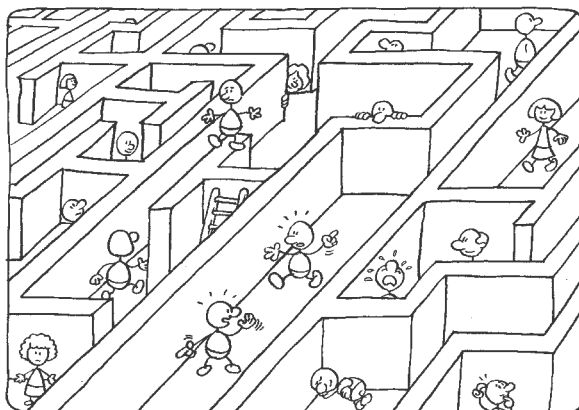
Albin Keuc

v sodelovanju

s člani projektne skupine NCSA
(Nacionalna samoocena potreb po krepitvi
zmogljivosti za globalno okoljsko upravljanje)



OCENA IZVAJANJA UKREPOV NA PRESEČNIH PODROČJIH TREH GLOBALNIH KONVENCIJ



avtor ilustracije: Zoran Smiljanić

Ocena izvajanja ukrepov na presečnih področjih treh globalnih konvencij je ena od petih vsebinsko povezanih publikacij, ki so nastale v okviru projekta NCSA. Druge publikacije so še:

Ocena izvajanja Konvencije o biološki raznovrstnosti,
Ocena izvajanja Konvencije o boju proti dezertifikaciji/degradaciji tal,
Ocena izvajanja Okvirne konvencije o spremembi podnebja,
Sintezno poročilo o izvajanju treh globalnih konvencij v Sloveniji.

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sekretariati konvencij:

Na področju dezertifikacije / degradacije tal:
UN Convention to Combat Desertification (Sekretariat)
<http://www.unccd.int/main.php>

Na področju biodiverzitete:
UN Convention on Biological Diversity (Sekretariat)
<http://www.biodiv.org/default.aspx>

Na področju spremembe podnebja:
UN Convention on Climate Change (Sekretariat)
<http://unfccc.int/>

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ZAHVALA

Avtor pričujočega dela se zahvaljuje vsem, ki so kakorkoli pomagali pri zbiranju in podajanju informacij. Zahvala gre predvsem štirim koordinatorjem tematskih področij mag. Robertu Špendlu, Jani Kus Veenvliet, Mladenu Kotarcu in dr. Metki Suhadolc ter Andreju Bibiču (MOP, Sektor za varstvo narave) in mag. Ingi Turk (MOP, Urad za okoljsko politiko). Posebna zahvala gre Mileni Škrl Marega in Mateji Šepec Jeršič (Regionalni center za okolje za srednjo in vzhodno Evropo) za podporo pri oblikovanju gradiva. Zahvaljujem se tudi vsem udeležencem delavnic, ki so si vzeli čas ter s svojimi idejami in mnenji obogatili naše delo.

IZJAVA O ODGOVORNOSTI

Mnenja in stališča v tem poročilu so zgolj mnenje avtorja in ne odražajo nujno mnenj in stališč Ministrstva za okolje in prostor ter Regionalnega centra za okolje za srednjo in vzhodno Evropo.

PREDGOVOR

Slovenija je v obdobju velikih razvojnih sprememb, ki jih še pospešuje dostopnost do strukturnih in drugih skladov Evropske Unije. Ob intenzivnem načrtovanju razvojnih projektov bomo potrebovali dovolj modrosti in spretnosti, da bomo poleg ekonomskih enakovredno upoštevali tudi okoljske in socialne vidike razvoja. Upoštevanje načel trajnostnega razvoja narekujejo mnogi mednarodni dogovori, med njimi tudi tri globalne konvencije: Okvirna konvencija o spremembi podnebja, Konvencija o boju proti dezertifikaciji/degradaciji tal in Konvencija o biološki raznovrstnosti. Uresničevanje zahtev teh konvencij pomembno prispeva k trajnostnemu upravljanju svetovnega okolja.

Uresničevanje zahtev konvencij v praksi zaostaja, zato moramo izboljšati razpoložljive zmogljivosti na sistemski, institucionalni in individualni ravni. Projekt NCSA (Nacionalna samoocena potreb po krepitvi zmogljivosti za globalno okoljsko upravljanje) je namenjen oceni pomanjkljivosti in ovir ter pripravi akcijskega načrta za krepitev zmogljivosti za izvajanje treh globalnih konvencij.

V prvem letu izvedbe projekta smo člani projektne skupine v sodelovanju z več kot sto udeleženci na dvanajstih delavnicah pripravili tematske profile – analizirali smo stanje na področjih izvajanja konvencij, prednostne ukrepe, ki jih načrtujemo v Sloveniji, ugotovili smo tudi potrebe po krepitvi zmogljivosti za uresničevanje zahtev konvencij.

Pripravili smo štiri tematske profile:

- Oceno izvajanja Konvencije o biološki raznovrstnosti,
- Oceno izvajanja Konvencije o boju proti dezertifikaciji/degradaciji tal,
- Oceno izvajanja Okvirne konvencije o spremembi podnebja,
- Oceno izvajanja ukrepov na presečnih področjih treh globalnih konvencij.

Ocene izvajanja konvencij, predvsem pa ugotovljene pomanjkljivosti in potrebe po krepitvi zmogljivosti, so nam služile kot izhodišče za določitev strateških ciljev in pripravo akcijskega načrta krepitve zmogljivosti. V njem je predstavljen nabor konkretnih dejavnosti za krepitev zmogljivosti za izvajanje vsake od treh konvencij, pa tudi ukrepov na presečnih področjih. Akcijski načrt naj služi kot osnova za pripravo zasnov bodočih projektov, katerih izvajalci bodo različni deležniki, namenjen pa je tudi predstavnikom drugih sektorjev, da bodo v pripravo politik in programov bolj temeljito vključevali okoljsko dimenzijo.

Verjamemo, da bodo rezultati projekta NCSA, ki smo jih predstavili v petih vsebinsko povezanih publikacijah, prispevali k uresnitvi našega začetnega cilja – omogočiti ustrezno vključenost okoljskih ciljev v razvojne programe Slovenije ter s tem okrepiti prispevek naše države k upravljanju svetovnega okolja.

Milena Škrl-Marega, REC Slovenija

OZADJE PROJEKTA NCSA

V devetdesetih letih je mednarodna skupnost sprejela dogovor o zaščiti svetovnega okolja, ki je bil v veliki meri udejanjen s pripravo in ratifikacijo treh globalnih konvencij: Okvirne konvencije ZN o spremembi podnebja (UNFCCC), Konvencije o biološki raznovrstnosti (CBD) in Konvencije o boju proti dezertifikaciji/degradaciji tal (UNCCD). V zadnjem desetletju je bila v številnih državah glavna ovira za izvajanje določil konvencij pomanjkanje zmogljivosti, bodisi na ravni delovanja države, institucij ali v njih delujočih posameznikov. Težave so bile še bolj izrazite v državah v razvoju in v državah v tranziciji, saj je bila v teh splošna zavest in naklonjenost trajnostnemu razvoju bistveno manjša. V okviru razprav o izvajanju konvencij v praksi je bila zato posebna pozornost posvečena vprašanju zmogljivosti in možnosti za njihovo izboljšanje v vseh državah podpisnicah.

Na probleme pomanjkanja zmogljivosti so opozarjali tudi sekretariati konvencij in začeli s posameznimi aktivnostmi za njihovo krepitev. Pri Skladu za svetovno okolje (Global Environmental Facility – GEF) so uvideli potrebo po celostnem obravnavanju zmogljivosti za izvajanje konvencij. Zaznali so tudi priložnost, da se tematsko sorodne konvencije Združenih narodov obravnavajo skupaj in se tako povečajo možnosti za skupno delovanje na vseh treh področjih. Ideja nacionalne samoocene potreb po krepitvi zmogljivosti za globalno okoljsko upravljanje (NCSA – National capacity self-assessment) se je postopno razvijala in leta 2001 je izvajanje projektov NCSA podprl sklad GEF. Projekti potekajo v več kot 20 državah, v nekaterih pa so bili že uspešno zaključeni.

V kontekstu projekta pomeni krepitev zmogljivosti tiste dejavnosti, ki izboljšajo sposobnosti posameznikov, institucij in državnega sistema za oblikovanje in udejanjanje ciljev ter za izvedbo zastavljenih nalog na trajnosten način. Krepitev zmogljivosti je torej proces spreminjanja oz. sprejemanja novih vrednot, odgovornosti, ravnanja, veščin in politik. Upravljanje sprememb in s tem spreminjanje zmogljivosti na učinkovit način je strateški imperativ za trajnostni razvoj organizacij in skupnosti.

PROJEKT NCSA V SLOVENIJI

V Sloveniji je projekt potekal v okviru Ministrstva za okolje, prostor in energijo, izvajal pa ga je REC – Regionalni center za okolje za srednjo in vzhodno Evropo, predstavniška pisarna v Ljubljani. V projektni skupini so sodelovali nacionalni koordinatorji za posamezne konvencije in za GEF, strokovni sodelavci, ki so pripravili tematske profile oz. analize stanja ter sodelavci REC-a. Celotna izvedba nacionalne samoocene pa je temeljila na posvetovalnem načelu – vključenosti in sodelovanju vseh zainteresiranih

ključnih deležnikov: predstavnikov vladnih institucij, lokalnih skupnosti, nevladnih organizacij, strokovnih institucij in gospodarstva.

Namen projekta NCSA je ugotoviti potrebe po krepitvi zmogljivosti za globalno okoljsko upravljanje in z akcijskim načrtom predlagati aktivnosti za izboljšanje zmogljivosti, potrebnih za izvajanje določil treh globalnih konvencij v Sloveniji. Projekt zajema tri okoljske tematike, ki jih pokrivajo omenjene konvencije. Le-te so nastale zaradi potrebe po reševanju okoljskih problemov in imajo zato tudi mnogo skupnega. V sklopu projekta NCSA so tako posebej obravnavana tudi presečna področja, to so tista področja, na katerih je mogoče s posameznimi ukrepi izboljšati stanje na področjih, ki jih obravnavata dve ali vse tri konvencije. Zato je bil namen projekta tudi predlagati dejavnosti za krepitev zmogljivosti na področjih, kjer bomo lahko z eno aktivnostjo izboljšali izvajanje določil vseh treh konvencij.

Specifični cilji dve leti trajajočega projekta so bili:

- pripraviti oceno izvajanja treh globalnih konvencij v Sloveniji in ugotoviti področja, na katerih je potrebna krepitev zmogljivosti,
- pripraviti nacionalni akcijski načrt za krepitev zmogljivosti za izvajanje treh konvencij,
- vključiti vsebine akcijskega načrta v sektorske politike in programe in pomagati deležnikom pri pripravi konceptualnih zasnov projektov za izvedbo dejavnosti akcijskega načrta.

KREPITEV ZMOGLJIVOSTI V SKLOPU PROJEKTA NCSA

Krepitev zmogljivosti vključuje aktivnosti, ki so potrebne za izboljšanje sposobnosti posameznikov, institucij in sistema, da pripravijo in sprejemajo odločitve ter učinkovito in trajnostno izvajajo svoje naloge. Krepitev zmogljivosti je torej proces spreminjanja oz. sprejemanja novih vrednot, odgovornosti, ravnanja, veščin in politik. Proces krepitev zmogljivosti poteka na treh ravneh:

- Na sistemski ravni gre za vzpostavitev spodbudnega okolja, to je politik ter ekonomskih in pravnih okvirov, v katerem delujejo institucije in posamezniki. Sistemska raven vključuje tudi krepitev odnosov in sodelovanja med institucijami.
- Na institucionalni ravni govorimo o splošni organizacijski uspešnosti in zmožnosti delovanja, prav tako pa tudi o sposobnosti prilagajanja spremembam, o finančnih in kadrovskih zmogljivostih, opremljenosti itd. Na tej ravni je potrebna tudi jasna delitev odgovornosti in nalog

- posameznih institucij ter opredelitev njihovih dolžnosti na področju poročanja.
- Krepitev zmogljivosti na individualni ravni vključuje procese spreminjanja odnosov in ravnanj posameznikov, učenje in usposabljanje zaposlenih ter povečanje storilnosti, motivacije in odgovornosti, dostopnosti do informacij, usposabljanja, povezovanja itd.

Prvi korak v procesu krepitve zmogljivosti je ugotavljanje, kakšne zmogljivosti pravzaprav potrebujemo in za katere naloge. Ker so države podpisnice pri izvajanju obveznosti konvencij (razen smernic sekretariatov) neodvisne, so tudi poti za doseganje ciljev različne. Kljub temu pa morajo biti pri izvedbi projekta upoštevana nekatera načela, na katerih temelji izvedba samoocene. Projekt se mora izvajati znotraj države, v sklopu državnih ustanov, z domačimi strokovnjaki in z upoštevanjem vseh doseženih rezultatov, ki vplivajo na izvajanje določil konvencij. Zagotovljena mora biti nacionalna podpora projektu, predvsem s strani državnih institucij, ter vključenost ključnih deležnikov skozi posvetovalni pristop. Za celostno analizo krepitve zmogljivosti je treba preučiti potrebe po krepitvi zmogljivosti na sistemski, institucionalni in individualni ravni. Da bi zagotovili trajen učinek projekta, moramo uporabiti dolgoročen pristop h krepitvi zmogljivosti v širšem okviru trajnostnega razvoja.

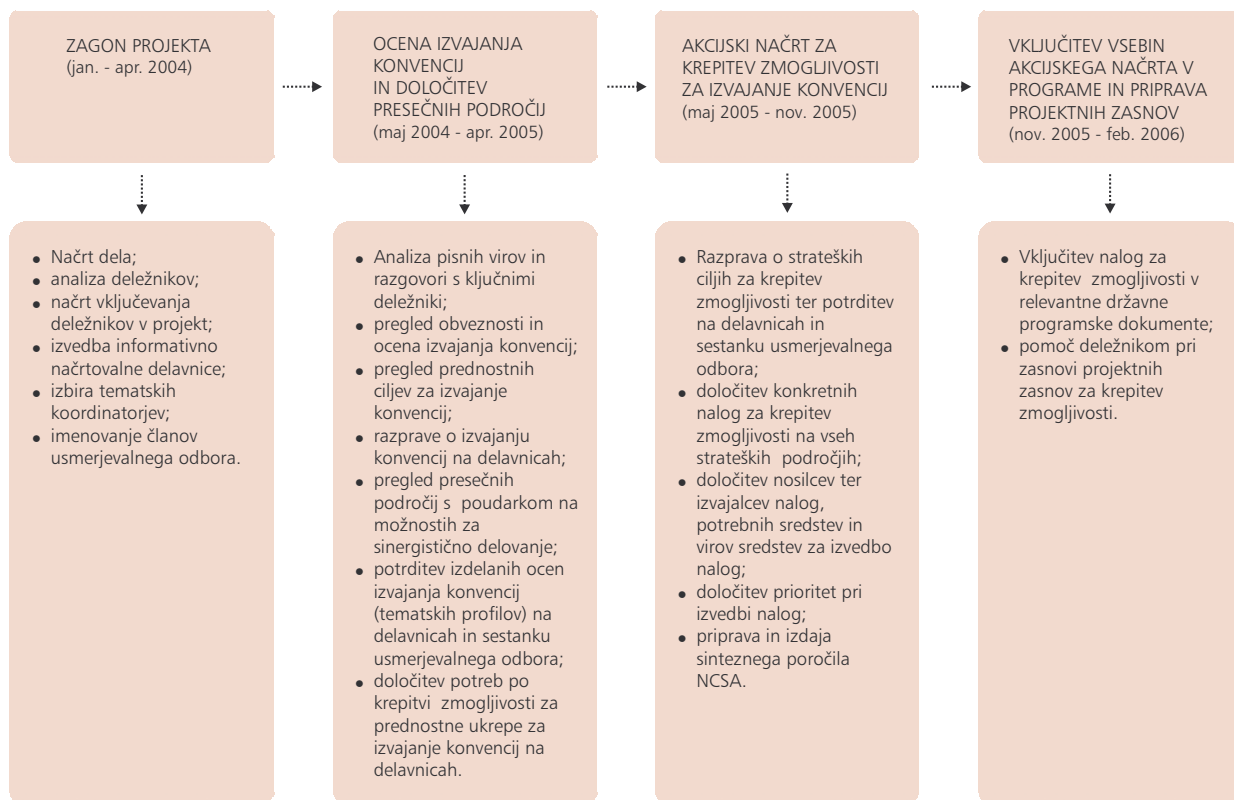
UNDP z organizacijo regionalnih delavnic omogoča koordinacijo projektov v vseh sodelujočih državah, mreženje med izvajalci, spodbuja razpravo o metodoloških pristopih, načinih reševanja problematičnih vidikov procesa ter izmenjavo izkušenj. Izvajalci projekta NCSA v posameznih državah tako lahko gradijo na izkušnjah ostalih sodelujočih držav. Čeprav UNDP predlaga metode za izvedbo projekta, pa so države pri njihovi izbiri avtonomne in celo zaželeno je, da jih prilagodijo nacionalnim posebnostim. V Sloveniji smo pri zbiri metod upoštevali naslednje dejavnike:

- Veljava treh konvencij v Sloveniji je zelo različna. Največ dejavnosti poteka na področju Konvencije o biološki raznovrstnosti, tudi zaradi drugih okoljskih konvencij in zahtev naravovarstvene politike EU. Problematika podnebnih sprememb se vzpenja po prednostni lestvici in temu trendu sledi tudi Slovenija. Najmanj pozornosti se danes posveča Konvenciji o boju prost dezertifikaciji/degradaciji tal, ki se izvaja v zelo omejenem obsegu in zanjo ni zagotovljene kadrovska niti finančne podpore. Zaradi teh razlik je bila tudi količina razpoložljivih informacij zelo različna, zato se tematski profili razlikujejo po načinu zajemanja informacij in njihovi količini.

- Mnoge dejavnosti na področju okoljskega upravljanja so posledica domačih prioritet ali pa izhajajo iz izpolnjevanja obveznosti do Evropske unije. Kljub temu se z njimi posredno izvajajo tudi konvencije, zato so bile vključene v oceno stanja.
- Že na začetku projekta smo zaznali težave pri zagotavljanju politične podpore projektu, zaradi česar je bila tudi udeležba predstavnikov javne uprave na delavnicah razmeroma šibka. Zato smo morali pristop prilagoditi razmeram in večji del informacij in mnenj zbrati prek osebnih razgovorov z deležniki.
- Razprave o obstoječih šibkih zmogljivostih v delovanju institucij smo, da bi se izognili občutkom ogroženosti posameznikov, vodili v duhu konstruktivnega razmišljanja o možnih izboljšavah v prihodnje.
- Vključenost in sodelovanje nevladnih organizacij sta, upoštevajoč slovenske razmere, dobra in konstruktivna.
- K uspešni izvedbi projekta so s konstruktivnim sodelovanjem in vsestransko podporo veliko prispevali nacionalni predstavniki za posamezne konvencije, pa tudi nacionalni koordinator za GEF na Ministrstvu RS za okolje in prostor.

Izvedba projekta NCSA v Sloveniji je potekala v štirih fazah:

1. **faza:** zasnova projekta,
2. **faza:** ocena zmogljivosti za izvajanje treh globalnih konvencij in zmogljivosti na presečnih področjih,
3. **faza:** priprava akcijskega načrta za krepitev zmogljivosti za izvajanje konvencij,
4. **faza:** vključitev vsebin akcijskega načrta v sektorske politike in programe ter priprava projektnih zasnov za izvedbo dejavnosti krepitve zmogljivosti.



Slika 1. Prikaz poteka projekta Nacionalne samoocene potreb po krepitvi zmogljivosti in nalog v posameznih fazah projekta

Ocene zmogljivosti za izvajanje treh okoljskih konvencij in zmogljivosti na presečnih področjih so predstavljene v štirih **tematskih profilih za posamezna tematska področja** (rezultati dela do 2. faze projekta), medtem ko sta v **sinteznem poročilu o izvajanju treh konvencij** predstavljena povzetek potreb po krepitvi zmogljivosti in iz potreb izhajajoči akcijski načrt - nabor dejavnosti, ki so potrebne za krepitev zmogljivosti (skupen rezultat dela v vseh štirih fazah projekta).

NAMEN IN STRUKTURA TEMATSKIH PROFILOV

Štirje tematski profili na področjih treh globalnih konvencij in na presečnih področjih so izhodiščna delovna gradiva in sestavni del sinteznega poročila o nacionalni samooceni potreb po krepitvi zmogljivosti za globalno okoljsko upravljanje.

Osnovni pogoj za načrtovanje dejavnosti usmerjenih v krepitev zmogljivosti je dobro poznavanje stanja na posameznih vsebinskih področjih. Prav temu so namenjeni tematski profili – namen teh dokumentov je dobiti podroben vpogled v prednostne usmeritve za izvajanje konvencij, oceniti obstoječe zmogljivosti, ugotoviti pomanjkljivosti in ovire pri izvajanju konvencij ter določiti potrebe po nadaljnji krepitvi zmogljivosti. Natančneje, gre za določitev pomanjkljivosti v zmogljivostih na sistemski, institucionalni in individualni ravni, ki jih bo potrebno izboljšati, če hočemo uspešno izvajati zahteve konvencij.

Tematski profili so izhodišče za oblikovanje strateških in operativnih smernic ter akcijskega načrta za krepitev zmogljivosti za izvajanje zahtev, ki jih narekujejo konvencije. Akcijski načrt podrobneje opredeljuje potrebne dejavnosti, pričakovane rezultate in učinke, časovni okvir, izvajalce teh dejavnosti, sodelovanje med institucijami, finančne vire ter druge mehanizme, ki bodo uporabljeni za realizacijo politik in programov, ki jih narekujejo konvencije.

Tematski profili so bili izdelani skladno z mednarodnimi smernicami UNDP, na nacionalni ravni pa z upoštevanjem vseh pomembnejših dokumentov (strategij, programov, poročil itd.) in aktualnih procesov ter projektov, ki so trenutno v izvajanju.

METODA DELA PRI PRIPRAVI TEMATSKIH PROFILOV

V prvi in drugi fazi projekta (rezultati so predstavljeni v tematskih profilih) so potekale naslednje ključne dejavnosti:

1. Analiza deležnikov

Na začetku projekta smo pripravili pregled ter kratko analizo institucij in v njih delujočih posameznikov ter ostalih deležnikov, ki delujejo na področjih okoljskega upravljanja in vsaj posredno delujejo tudi na področjih konvencij. Analizo deležnikov smo uporabili pri izvedbi participativnega dela projekta in pridobivanju informacij od pristojnih institucij in nevladnih organizacij.

2. Ocena izvajanja konvencij

Na podlagi javnega razpisa so bili izbrani tematski koordinatorji za posamezna vsebinska področja, ki so s pomočjo nacionalnih predstavnikov konvencij in deležnikov pripravili oceno izvajanja treh konvencij. Delo je obsegalo zbiranje pisnih virov (poročila o izvajanju konvencij, poročila nacionalnih institucij, pomembna dela s področij konvencij, pravni predpisi in programski dokumenti) in razgovore s ključnimi deležniki. Pripravili smo pregled obveznosti, ki jih nalagajo konvencije, in oceno njihovega izvajanja, ter podrobneje ocenili zmogljivosti na sistemski, institucionalni in individualni ravni. V okviru izdelave ocene stanja sta bili izvedeni po dve delavnici za vsako tematsko področje. V prvem krogu delavnic so bili uvodoma predstavljeni osnutki ocen izvajanja konvencij, v nadaljevanju pa so udeleženci predstavljali svoje poglede na napredek in ovire pri izvajanju določil konvencij. S tem so udeleženci delavnic pripomogli k dopolnitvam osnutkov tematskih profilov. V drugem krogu delavnic pa je potekala razprava o nacionalnih prioritetah za izvajanje konvencij, za nekatere prednostne ukrepe so udeleženci pripravili še poglobljeno analizo potreb po krepitvi zmogljivosti.

3. Analiza presečnih področij

Oceni stanja na tematskih področjih je sledila še ocena stanja na presečnih področjih. Tudi pri tem vsebinskem sklopu je proces potekal na enak način kot pri ostalih treh tematskih področjih.

4. Nabor potreb po krepitvi zmogljivosti

Po izdelani oceni stanja smo pred zaključno fazo projekta, tj. izdelavo akcijskega načrta, pripravili nabor potreb po krepitvi zmogljivosti. Ta nabor je služil kot podlaga za pripravo seznama konkretnih dejavnosti, ki sestavljajo akcijski načrt za krepitev zmogljivosti. V projektni skupini smo oblikovali pet strateških ciljev, ki naj bi jih uresničili v okviru akcijskega načrta. Zadnji krog delavnic z deležniki je bil namenjen prevetritvi in dopolnitvi predlaganih ciljev, predvsem pa izdelavi nabora potrebnih nalog za krepitev zmogljivosti. Rezultati vseh delavnic so bili upoštevani pri pripravi končne različice tematskih profilov, še posebej pri oblikovanju strateških ciljev za krepitev zmogljivosti.

Vsak tematski profil sestavljajo štiri poglavja.

V prvem poglavju je na kratko predstavljeno vsebinsko področje konvencije (biotska raznovrstnost, podnebne spremembe in degradacija tal), ki jo obravnava tematski profil, konvencija je predstavljena v mednarodnem kontekstu skupaj z obveznostmi podpisnic, podani so opis stanja in glavnih nevarnosti ter usmeritve za ohranjanje biotske raznovrstnosti in tal oz. zmanjševanje vplivov na podnebje.

V drugem poglavju so predstavljene pretekle dejavnosti ter aktualni prednostni cilji Slovenije, povezani z izvajanjem konvencije.

V tretjem poglavju so ocenjene zmogljivosti za izvajanje prednostnih nalog, in sicer na treh ravneh – sistemski, institucionalni in individualni. Osnova za ocene so s predpisi in politikami določene naloge ključnih institucij, ki se nanašajo na izvajanje konvencij.

Četrto poglavje povzema ključne ugotovitve o doseganju prednostnih ciljev izvajanja konvencije in podaja pregled potreb po krepitvi zmogljivosti

Tematski profil za presečna področja ima podobno strukturo, le da predstavi tudi oceno izvajanja ukrepov, ki se nanašajo na vse tri konvencije, ter podaja pregled tistih potreb po krepitvi zmogljivosti, ki pomembno vplivajo na izvajanje konvencij.

Tematski profili se zaključijo z naborom potreb po krepitvi zmogljivosti in s seznamom petih strateških ciljev za krepitev zmogljivosti. Nadaljevanje tematskih profilov je akcijski načrt za krepitev zmogljivosti, ki je predstavljen v sinteznem poročilu projekta NCSA.

Skrajšane različice tematskih profilov, ki so vsebinsko razdeljene na zgoraj opisana poglavja, so objavljene v tiskanih publikacijah. Celotna vsebina tematskih profilov, kjer je problematika potreb po krepitvi zmogljivosti za izvajanje konvencij predstavljena podrobneje in v več poglavjih, pa je objavljena na REC-ovi spletni strani www.rec-lj.si.

Osnutke tematskih profilov so pripravili tematski koordinatorji v sodelovanju z nacionalnimi predstavniki za posamezne konvencije, pri njihovi pripravi pa so sodelovali predstavniki ključnih institucij ter nevladnih organizacij. Na tak način je bilo mogoče tem dokumentom dati ustrezno legitimnost, na vsebinski ravni pa zagotoviti, da je samoocena res nacionalna. Proces priprave tematskih profilov je bila priložnost za strateški dialog, predvsem pa priložnost za določanje prihodnjih dejavnosti, v katerih bo prostor za sodelovanje vseh ključnih akterjev.

Priloga 1: Seznam uporabljenih kratic

ARR	Agencija za regionalni razvoj
ARRS	Javna agencija za raziskovalno dejavnost Republike Slovenije
AUP	Analiza učinkov predpisa
CBD	Konvencija o biološki raznovrstnosti
CCD	Konvencija o boju proti dezertifikaciji
CPVO	Celovita presoja vplivov na okolje
CRP	Ciljni raziskovalni program
DAC	Komite za razvojno pomoč
DRP	Državni razvojni program
EU	Evropska unija
FCCC	Okvirna konvencija Združenih narodov o spremembi podnebja
GZS	Gospodarska zbornica Slovenije
ISO	Mednarodna organizacija za standardizacijo
MOP	Ministrstvo za okolje in prostor
NCSA	Nacionalna samo-ocena potreb po krepitvi zmogljivosti za globalno okoljsko upravljanje
NPVO	Nacionalni program varstva okolja
NVO	Nevladna organizacija
OECD	Organizacija za gospodarsko sodelovanje in razvoj
PVO	Presoja vplivov na okolje
RS	Republika Slovenija
SOO	Skupni ocenjevalni okvir (CAF)
SRS	Strategija razvoja Slovenije
UNDP	Razvojni program Združenih narodov
ZVO	Zakon o varstvu okolja

OCENA IZVAJANJA UKREPOV NA PRESEČNIH PODROČJIH TREH GLOBALNIH KONVENCIJ

POVZETEK

Tri globalne konvencije (o biotski raznovrstnosti, podnebnih spremembah in dezertifikaciji) uvrščamo med tako imenovane konvencije iz Ria. Koncept trajnostnega razvoja ima jasen cilj: zadovoljiti potrebe v sedanjosti, ne da bi pri tem ogrozili možnosti prihodnjih generacij za zadovoljevanje njihovih potreb. To je mogoče doseči samo s trajnostnim, uravnoteženim in sonaravnim gospodarskim, socialnim in okoljskim razvojem, ki upošteva omejenost naravnih virov, vzajemno soodvisnost in načela socialne pravičnosti.

V pregledu in oceni stanja izvajanja treh globalnih konvencij na presečnih področjih smo se osredotočili na sistemske, institucionalne in individualne zmogljivosti sedanjega modela. Ne zadostno horizontalno in vertikalno sodelovanje v javni upravi se dopolnjuje s šibkim sodelovanjem med različnimi deležniki zunaj javne uprave. Na vseh področjih srečujemo pomanjkljive podatkovne nize, pridobljene z monitoringom stanja okolja. Odločevalski procesi, orodja in prakse ne zagotavljajo zadostnega vključevanja javnosti. Obstaja sistemska nepovezanost med načrtovanjem, izvajanjem in spremljanjem politik, programov in projektov ter poročanjem o njihovi učinkovitosti in uspešnosti na različnih upravnih ravneh – od vladne do lokalne. K temu je treba dodati še nezadostnost človeških virov in pomanjkanje finančnih sredstev za izvajanje zahtev treh globalnih konvencij. V Sloveniji tudi še zmeraj ne nudimo zadostne razvojne pomoči državam v razvoju. Takšno stanje seveda ne preseneča.

Pregled potreb, ki je bil pripravljen v sodelovanju z različnimi deležniki, je pokazal, da bo treba krepiti zmogljivosti deležnikov na sistemski, institucionalni in individualni ravni. Zagotoviti bo treba kakovostno razvojno načrtovanje z vključevanjem okoljskih vsebin v nacionalne programske in izvedbene dokumente. Na tem področju bo treba zagotoviti sistemske podlage za institucionalno spremljanje in vrednotenje njihovega izvajanja. Okrepiti je treba tudi institucionalne možnosti za pravočasno in učinkovito vključevanje deležnikov v postopke priprave in izvajanja dogovorjenih ukrepov. Za preseganje sektorskega pristopa mora biti posebna pozornost namenjena krepitvi individualnih zmogljivosti udeležencev (izobraževanje in usposabljanje za pripravo strateških dokumentov, spremljanje in vrednotenje izvajanja, konzultativnih procesov in komuniciranja z deležniki). Na področju strokovnega dela je treba prilagoditi sedanje in uvesti dodatne

modele finančnih spodbud in razpisov z uvajanjem sinergističnih kriterijev, ki povezujejo različne sektorje in stroke. Za učinkovitejše izvajanje ukrepov s področja varovanja tal, biotske raznovrstnosti in spreminjanja podnebja je treba okrepiti ali oblikovati nove oblike sodelovanja (lokalna in javno-zasebna partnerstva). Poleg krepitve inšpekcijskih organov je treba z uvedbo predhodnega preverjanja učinkov predpisov in celovitih presoj vplivov na okolje (CPVO) zagotoviti tudi večjo preglednost preverjanje programov in predpisov.

Pri pregledu stanja smo veliko pozornost posvetili tistim procesom na nacionalni ravni, ki na različne načine poskušajo odpravljati ugotovljene pomanjkljivosti in ovire za uspešnejše in učinkovitejše izvajanje ukrepov in zahtev treh globalnih konvencij.

Stanje na področju izvajanja zahtev treh konvencij ter zahtev nacionalnih programov in predpisov kaže, da je v Sloveniji še veliko možnosti in priložnosti za izboljšanje učinkovitosti in uspešnosti sedanjega modela vodenja in upravljanja. Slovenija ima omejene človeške in finančne vire za pokrivanje celotnega obsega problemov na treh izbranih področjih, ki presega njene zmogljivosti. Zato je treba ukrepati predvsem na področjih usklajevanja prednostnih vsebin, izboljšanja sistema spremljanja in vrednotenja dosežkov glede na izvedene ukrepe, sodelovanja (horizontalnega, vertikalnega) in povezovanja (finančnih in kadrovskih) virov ter aktivnega vključevanju deležnikov.



1. Določitev presečnih področij

Za potrebe samoocene potreb po zmogljivosti in analize stanja v Sloveniji smo določili naslednja presečna področja:

- nacionalni politični, pravni in regulativni okvir,
- institucionalna pooblastila in procesi sodelovanja in usklajevanja deležnikov,
- upravljanje informacij, spremljanje in opazovanje,
- ozaveščanje, izobraževanje in izmenjava informacij,
- aktiviranje znanosti v podporo odločanju,
- finančni viri in prenos tehnologij, spodbude in tržni mehanizmi,
- usklajevanje in mreženje z lokalnimi skupnostmi,

- upravljanje institucij in storilnost,
- individualne veščine in motivacija,
- sodelovanje v mednarodnih pogajanjih.

Na ta način določena presečna področja kažejo v prvi vrsti na podobnost v formalni strukturi treh konvencij, medtem ko se vsebinsko (torej tudi glede na možnosti, vsebine in instrumente ukrepanja) razlikujejo. Izvajanje zahtev konvencij (v obliki nacionalnih ukrepov, določenih s strateškimi, operativnimi in zakonskimi instrumenti) posega na vse ravni družbenega delovanja – političnega, gospodarskega, socialnega in okoljskega, zato lahko rečemo, da gre za elemente modela, s katerim želimo preseči tradicionalen, sektorski razvojni pristop.

Tabela 1: Obveznosti pogodbenic do konvencij

Vsebine/Zahteve	CBD	FCCC	CCD
izdelati nacionalni inventar	(¹)	4.1 a člen	
izdelati nacionalni akcijski načrt	6.a člen in 6.b člen (»strategije«)	4.1 b člen	9. člen in 10. člen
ugotavljati stanja in spremljanje sprememb	8. člen		16. člen
vzpostaviti zavarovana območja	8. člen		
sprejeti potrebno zakonodajo	8.k člen	preambula	5.e člen
izvajati raziskovalne dejavnosti	12.b člen	5. člen	17. člen in 19.b člen
vključiti vsebine v izobraževanje javnosti	13. člen	6. člen	5.d člen, 19. člen in 6. člen
razviti presoje vplivov na okolje	14. člen	4.i.d člen	
vzpostaviti izmenjevalnice strokovnih informacij	18. člen		18. člen
omogočiti sodelovanje javnosti	(²)	6.i.a. člen in 6.iii člen	19.4 člen
zagotoviti izmenjavo informacij	17. člen	7. člen	16. člen
vzpostaviti sistem usposabljanja deležnikov	12.a člen	6. člen	19. člen
zagotoviti redno poročanje	26. člen	12. člen	
vzpostaviti sistem zbiranja podatkov			16. člen
presojsati izvajanje določil konvencij	23. člen	7.e člen	
poročati Konferenci pogodbenic	26. člen	12. člen	26. člen

¹ Konvencija o biološki raznovrstnosti določa obveznost vodenja genskih zbirk.

² Kartagenski protokol določa obveznosti sodelovanja javnosti na področju biotehnologije.

Tradicionalno se s tematskimi področji, obravnavanimi v tem projektu, ukvarjajo predvsem institucije s področja varstva okolja in varstva narave (npr. Ministrstvo za okolje in prostor, Agencija RS za okolje), ki poskušajo znotraj upravnega sistema varstvene cilje vključiti v druge sektorje (energetika, promet, kmetijstvo, industrija, trgovina itd.). Institucije s področja prometa, energetike in kmetijstva povezujejo te dejavnosti predvsem z nadaljnjim razvojem in rastjo, medtem ko za politiko varstva okolja in varstva narave pomenijo predvsem pritisk na okolje. Doseči stanje trajnostnega upravljanja na nacionalni ravni tako pomeni preseganje tega potencialno in dejansko konfliktnega stanja. Možne posledice nezadostnega ukrepanja so predvidljive.

Zato je samoocena potreb po krepitvi zmogljivosti na presečnih področjih v prvi vrsti namenjena analizi stanja zmožnosti in zmogljivosti odločevalcev, javne uprave in drugih deležnikov na formalnih področjih, ki so osnovni pogoj za učinkovito in uspešno izvajanje omenjenih ukrepov.

Pri delu na tematskih profilih (ocene izvajanja posameznih konvencij) je bilo ugotovljenih kar nekaj presečnih vsebin in potreb, kjer potrebujemo ukrepe za krepitev zmožnosti in zmogljivosti. Na podlagi analize tematskih profilov (opisov izvajanja posameznih konvencij) in poročil z delavnic je bilo mogoče pripraviti naslednji povzetek v obliki tez:

1. Tri konvencije imajo v Sloveniji različno težo – najmanjšo ima Konvencija o boju proti dezertifikaciji (Slovenija kot pogodbenica se ne udeležuje srečanj konvencije, čeprav se je odločila za status »prizadete« države); posledica tega je, da imamo premalo podatkov o stanju tal v Sloveniji.
2. Manjkajo še nekateri ključni operativni politični dokumenti (akcijski načrt za ohranjanje biotske raznovrstnosti, nacionalni program varstva tal, prilagajanja kmetijstva podnebnim spremembam itd.).
3. V preteklih letih smo veliko pozornosti in sredstev posvetili pravnemu urejanju posameznih področij (v sklopu vključevanja Slovenije v EU). Sočasno je potekala tudi institucionalna krepitev sistema (ustanavljanje novih in preoblikovanje obstoječih institucij). Na vseh treh področjih je treba pripraviti še kar nekaj pravnih aktov.
4. Sodelovanje in usklajevanje upravnih in strokovnih institucij je pomanjkljivo in nezadostno; velikokrat poteka le neformalno (ad hoc delovna telesa za odpravo kakšnega problema ali pomanjkljivosti) in nima zagotovljenega stalnega institucionalnega okvira.
5. Vključevanje nevladnih organizacij in javnosti v procese priprave in izvajanja politik je omejeno na model »notice and comment«.
6. Na vseh treh področjih so bile ugotovljene pomanjkljivosti pri načrtovanju in izvajanju monitoringa (vsebina, obseg in izvajanje monitoringa). Zdi se, da je izvajanje monitoringa v prvi vrsti podrejeno izpolnjevanju obvez spremljanja in poročanja Evropski komisiji in njenim institucijam (EuroStat, Evropska okoljska agencija).
7. Nimamo sistema spremljanja uspešnosti in učinkovitosti izvedenih ukrepov in doseganja zastavljenih ciljev – ti so velikokrat ohlapni in opisni.
8. Izobraževanje za »trajnostni razvoj« ali za tri konvencije je omejeno na sektorska prizadevanja; primeri medsektorskega povezovanja na področju izobraževanja so redki.
9. Obveščanje in dostopnost informacij o stanju okolja in ukrepih sta se v preteklem obdobju okrepila, vendar še zmeraj ne presegata sektorskega pristopa.
10. Premalo pozornosti se posveča »izmenjevalnicam podatkov«. Izmenjava informacij o primerih dobre prakse, tehnoloških ali metodoloških rešitvah, ki prispevajo k učinkovitemu izvajanju ukrepov, je obveza vseh podpisnic.
11. Znanstvenoraziskovalna sfera ima premalo razpoložljivih virov za izvajanje potrebnih raziskav in raziskovalnih programov (ugotavljanje stanja, vodenje zbirk, metodološka vprašanja itd.). Premajhno je tudi število medsektorskih (ali interdisciplinarnih) ciljnoraziskovalnih vsebin, vezanih na potrebe izvajanja konvencij.
12. Na področju finančnih mehanizmov v podporo ukrepom ne moremo govoriti o »pestrosti« teh virov, zlasti zasebnih, je premalo.
13. V pripravo in izvajanje ukrepov je treba aktivneje vključiti institucije na regionalni (regionalne razvojne agencije) in lokalni ravni (lokalne skupnosti, lokalne organizacije). Prevladuje pristop »od zgoraj«, kar je med drugim posledica pomanjkanja izbire finančnih spodbud za lokalne projekte ohranjanja biotske raznovrstnosti, izboljšanja energetske učinkovitosti, varstva tal itd.
14. Slovenija se še ne zaveda povsem svoje odgovornosti do globalnih problemov – kot članica »kluba razvitih« bi morala prevzeti tudi odgovornost za solidarnostno pomoč državam v razvoju na vseh treh področjih.

Ugotovimo lahko, da so skupni problemi vseh treh vsebinskih področij:

- nezadostnost človeških virov,
- pomanjkanje finančnih sredstev in
- »neugodna« institucionalna klima.

Ti problemi sicer niso presečni, so pa skupni vsem področjem in imajo večinoma negativen učinek na uspešnost in učinkovitost izvajanja nacionalnih politik in mednarodnih obveznosti. Na drugi strani pa prav te omejitve zahtevajo ukrepanje v smeri učinkovite izrabe virov, ki so trenutno na voljo, predvsem izboljšanje sodelovanja in usklajevanja med deležniki ter krepitve njihovih zmožnosti in zmogljivosti.

Stanje na področju izvajanja zahtev treh konvencij in zahtev nacionalnih programov in predpisov kaže, da je v Sloveniji še veliko odprtih možnosti in priložnosti za izboljšanje učinkovitosti in uspešnosti sedanjega modela vodenja in upravljanja. Ob domnevi, da ima Slovenija omejene človeške in finančne vire ter da obseg problemov presega razpoložljive zmogljivosti, lahko sklepamo, da je treba iskati možnosti predvsem v usklajevanju prednostnih vsebin, izboljšanju sistema spremljanja in vrednotenja dosežkov glede na izvedene ukrepe, sodelovanju (horizontalnem, vertikalnem), povezovanju finančnih in kadrovskih virov ter vključevanju deležnikov.

Stanje na področju zmogljivosti za izvajanje ukrepov na treh področjih lahko povzamemo z naslednjimi ugotovitvami:

- Horizontalno in vertikalno sodelovanje v javni upravi je nezadostno.
- Sodelovanje med različnimi deležniki zunaj javne uprave je nezadostno.
- Podatkovni nizi, pridobljeni z monitoringom stanja okolja, so nezadostni in pomanjkljivi.
- Odločevalski procesi, orodja in prakse so pomanjkljivo usklajeni.
- Vključevanje in sodelovanje javnosti je nezadostno.
- Načrtovanje, izvajanje, spremljanje in poročanje med upravno na državni ravni in lokalnimi skupnostmi ni povezano.
- Človeški viri so nezadostni.
- Finančnih sredstev primanjkuje.
- Razvojna pomoč državam v razvoju je nezadostna.

2. Analiza presečnih področij

Tri globalne konvencije (o biotski raznovrstnosti, podnebnih spremembah in dezertifikaciji/degradaciji tal) uvrščamo med tako imenovane konvencije iz Ria. Prvi dve sta bili sprejeti na srečanju Združenih narodov o okolju in razvoju v Rio de Janeiru leta 1992, medtem ko je bila Konvencija o boju proti dezertifikaciji sprejeta leta 1994. V Rio de Janeiru je bila sprejeta tudi Agenda 21, globalni program za izvedbo načel trajnostnega razvoja. Koncept trajnostnega razvoja ima jasen cilj: zadovoljiti potrebe v sedanjosti, ne da bi pri tem ogrozili možnosti prihodnjih generacij za zadovoljevanje njihovih potreb. To pa lahko dosežemo samo s trajnostnim, uravnoteženim in sonaravnim gospodarskim, socialnim in okoljskim razvojem, ki upošteva omejenost naravnih virov, vzajemno soodvisnost in načela socialne pravičnosti. Ta duh je prisoten v konvencijah iz Ria.

Za njihovo izvajanje potrebujemo celovito in usklajeno načrtovanje in delovanje vseh deležnikov. Iskati moramo sinergije med različnimi ukrepi in ravnanjem na vseh ravneh, od lokalne do globalne.

2.1 Nacionalni politični, pravni in regulativni okvir

Glavna značilnost preteklega srednjeročnega obdobja je bilo približevanje oziroma vključevanje Slovenije v Evropsko unijo. Prilagajanje slovenskega pravnega reda evropskim normam je bilo v tem času glavna politična in družbena prednostna naloga v Sloveniji. Javna uprava je veliko svojih zmogljivosti namenila pripravi potrebnih programskih in regulativnih instrumentov, nujnih za vstop države v Evropsko unijo.

Zato in zaradi velikega števila zakonov in podzakonskih predpisov, ki jih je bilo treba sprejeti, so bili potrebni dodatni ukrepi za izboljšanje upravne usposobljenosti za njihovo izvajanje in uveljavljanje. Hkrati so se v politični in strokovni javnosti pričele čedalje pogostejše pojavljati ocene o implementacijskem deficitu in pomanjkljivem sprejemanju izvršilnih predpisov. Vlada RS je zato v zadnjih petih letih okrepila dejavnosti za reformo javne uprave, s katerimi želi doseči izboljšanje njene učinkovitosti.

V tem obdobju je Slovenija na področju varstva okolja in varstva narave pripravila in sprejela vrsto politik, strateških programov, operativnih programov, predpisov in poročil.

Hkrati s pripravo (okoljskih) programskih dokumentov je bilo sprejetih veliko temeljnih zakonov s področja

varstva okolja, varstva narave, energetike, javne uprave in še več podzakonskih predpisov, ki urejajo vsebinska področja treh konvencij. V istem obdobju je potekala priprava nekaterih ključnih sektorskih politik (energetika, promet, razvoj podeželja, kmetijsko-okoljski program, strategija gospodarskega razvoja, razvoj turizma itd.), ki so – sicer nekatera le na deklarativni ravni – prevzemale načela trajnostnega razvoja. Na izvedbeni ravni je bilo upoštevanje teh načel veliko manj poudarjeno.

Programi in predpisi so se pripravljali v časovno in kadrovsko omejenih okvirih. Zastavlja se vprašanje, ali ima Slovenija zadostne finančne in kadrovske vire ter primeren in učinkovit sistem upravljanja oziroma ali ima zadostne zmogljivosti in zmožnosti za izvajanje vseh potrebnih dejavnosti, kar je logična in tudi pričakovana posledica »predpristopnega« procesa.

V vseh primerih priprave programov so imeli pripravljalci težave s pomanjkanjem notranjih kadrovskih zmogljivosti. Hkrati je bilo ugotovljeno pomanjkljivo poznavanje stanja in procesov na posameznih področjih. Zato so bili hkrati s pripravo prvih programskih dokumentov izvedeni tudi zbirni pregledi stanja, opravljene pa so bile tudi ocene trendov in vzrokov za dogajanje.

Zaradi močnega kadrovskega primanjkljaja, zlasti v javni upravi, je bilo treba v pripravo programov vključiti zunanje znanje preko naročil znanstvenim in raziskovalnim institucijam, specializiranim podjetjem in profesionalnim združenjem (nevladnim organizacijam). Brez sodelovanja in vključevanja zunanjih sodelavcev je priprava kakršnegakoli pregleda kot osnove za pripravo politike in strategije na področju varstva okolja in narave zelo otežena. Hkrati ta pristop jasno kaže potrebo po krepitvi možnosti za sodelovanje in vključevanje v širšem smislu, ne samo v obliki javnih naročil.

Na prvi pogled je hierarhična urejenost oziroma položaj politik, strategij in programov jasna. Nejasna je predvsem povezava med različnimi dokumenti in njihovim izvajanjem. Za načrtovanje je značilno pomanjkanje časovno določenih in kvantificiranih ciljev – razen v primerih, ko so ti cilji določeni z mednarodno pogodbo (npr. Kjotski sporazum) ali z regulativo EU. To hkrati tudi vpliva na spremljanje izvajanja ukrepov ter vrednotenje njihove uspešnosti in učinkovitosti.

Velikokrat ni zagotovljena povratna informacijska zveza glede na rezultate vrednotenja, v kolikor se ga sploh izvaja. Tako so tudi postopki za prilagajanje izvedbenega dela ciljem precej ohlapni, če jih

politike in strategije sploh vsebujejo. V spodnjih alineah je natančneje opisana ugotovitev vladnih institucij, da je (razvojno) načrtovanje v Sloveniji težavno in da se pri tem soočamo s precejšnjimi pomanjkljivostmi na šestih področjih načrtovanja:

- priprava in vloga posameznih dokumentov načrtovanja na različnih ravneh,
- postopki medsebojnega usklajevanja,
- postopki izvajanja programov in dodeljevanja spodbud izvedbenim projektom,
- postopki spremljanja uresničevanja politike in poročanja,
- postopki spreminjanja, če se ugotovijo odstopanja dejanskih gibanj od scenarija ali če obstoječi ukrepi ne dajejo zadovoljivih rezultatov,
- načini vključevanja civilne družbe v postopke priprave, izvedbe in spremljanja izvajanja razvojnih dokumentov.

Vključevanje okoljskih vsebin v sektorske politike naj bi se zagotavljalo z:

- upoštevanjem okoljskih ciljev pri pripravi sektorskih politik z namenom priprave učinkovitih sektorskih programov ukrepov, ki pripomorejo tudi k doseganju okoljskih ciljev;
- rednim spremljanjem vključevanja okoljskih vsebin s pomočjo ustreznih kazalcev, na podlagi skupne metodologije za vsak sektor, in poročanje o procesu sektorskega vključevanja;
- vključitvijo okoljskih meril v programe financiranja;
- vzpostavitev in izvajanjem sistema presoje vplivov na okolje in celovite presoje vplivov na okolje;
- upoštevanjem ciljev programa v strateških dokumentih države in prihodnjih finančnih perspektiv.

Vključevanje okoljskih vsebin je zadovoljivo, saj večina sektorskih politik vsaj na načelni ravni vključuje načela trajnostnega razvoja oz. varstva okolja, treba pa je zagotoviti spremljanje upoštevanja okoljskih oz. trajnostnih načel sektorskih politik na ravni izvajanja ukrepov.

V zadnjem obdobju je bilo v Sloveniji sprejetih veliko zakonov in predpisov, ki urejajo varstvo okolja, vode in narave ter gospodarjenje z naravnimi viri. Skupna ocena vseh tematskih profilov je, da ima Slovenija sprejete skoraj vse pravne mehanizme za zagotavljanje izvajanja konvencij, razen v primeru tal, kjer manjka nacionalna politična usmeritev ohranjanja rodovitnosti in biotske raznovrstnosti tal ter pravna ureditev nekaterih ožjih področij (predvsem monitoringa).

Novi zakon o varstvu okolje določa obveznost celovite presoje vplivov na okolje (CPVO), s čimer je uredil predhodno presojanje »planov, programov, načrtov in prostorskih ali drugih aktov«, katerih izvedba lahko pomembno vpliva na okolje. CPVO se izvaja za vse tiste plane, programe in politike, ki imajo pomemben vpliv na okolje. Mednje pa vsekakor sodijo vsi plani, v katerih so predvideni projekti, za katere se zahteva presoja vplivov na okolje, plani na območjih Nature 2000, prostorski akti in različni sektorski programi na lokalni, regionalni in državni ravni.

Uvedbo mehanizma presoj vplivov na okolje v sistem varstva okolja zahtevata Konvencija o biološki raznovrstnosti in Okvirna konvencija ZN o spremembi podnebja. Slovenija je obveznost presoje vplivov na okolje uvedla že leta 1996. Do leta 2005 je bilo izvedenih več kot 550 postopkov PVO.

Hkrati je Slovenija z Zakonom o ohranjanju narave uvedla institut presoje »planov in aktov«, s pomočjo katere se prouči in ugotovi vpliv načrtovanega posega na zavarovano območje ali posebno varstveno območje, ter institut dovoljenja za poseg v naravo.

Reforma javne uprave predvideva uvedbo postopka analize učinkov predpisov (AUP, angleško Regulatory Impact Analysis ali RIA). AUP je poseben postopek, ki pripravljavcem predpisov nalaga obveznost, da za vsak predpis natančno preverijo njegove opisane učinke, da pretehtajo alternativne verzije predpisa in da pred njegovim sprejetjem prisluhnejo argumentom ciljne populacije, tj. tiste, na katero se predpis nanaša. Analiza učinkov predpisov je namenjena preverjanju ekonomskih, socialnih in okoljskih učinkov predpisov. Uvedba posebnega postopka preverjanja predpisov je namenjena predvsem javni upravi, ki predpise pripravlja.

Značilnost Slovenije je, da ima zelo malo okoljevarstvene sodne prakse (izjema je sodna praksa s področja posegov v prostor in urejanja prostora), kar je gotovo mogoče šteti za kazalnik (ne)uspešnosti izvedbe.

2.2 Institucionalna pooblastila ter procesi sodelovanja in usklajevanja deležnikov

Ukrepi na področju zakonodaje in politik so v zadnjem obdobju temeljito okrepili institucionalni del izvajanja okoljevarstvenih in naravovarstvenih aktivnosti. Zakoni in predpisi postavljajo jasna pooblastila različnim institucijam (ministrstvom, njihovim oddelkom/uradom, pooblaščenim institucijam, lokalnim skupnostim), vendar v tematskih profilih

prevladuje ocena, da večanju števila teh nalog, pristojnosti in pooblastil ne sledijo podporni ukrepi kadrovske in finančne narave.

Predvsem na področju biotske raznovrstnosti je sistem skoraj zaokrožen. Čeprav tudi na tem področju ne obstaja posebno svetovalno telo, ki bi spremljalo dejavnosti, dajalo pobude, spremljalo in ocenjevalo napredovanje. Na področju podnebnih sprememb sicer obstaja svetovalno telo (Slovenski svet za vprašanja podnebnih sprememb), hkrati pa je to področje na upravni ravni kadrovsko zelo šibko. Prav tako v Sloveniji ni kakšnega specializiranega (javnega) zavoda za podnebna vprašanja.

Področje varstva tal je zopet najšibkejše. Ker je to področje pri dnu politične prioritete lestvice, mu je na ravni nacionalnega koordinatorja (MOP) posvečeno 5 % razpoložljivega delovnega časa ene osebe.

Skupne pomanjkljivosti izvajanja ukrepov in z njimi povezanih nalog se kažejo predvsem na institucionalni in individualni ravni: sodelovanju, povezovanju in usklajevanju med sektorji/nosilci ukrepov in nalog.

V Sloveniji šibke institucionalne poti in postopki ne omogočajo učinkovitega in uspešnega sodelovanja, povezovanja in usklajevanja deležnikov. Zato pa je močno prisotno sektorsko načrtovanje in izvajanje ukrepov. Posvetovalna telesa (Svet za trajnostni razvoj, Svet za varstvo okolja, Slovenski komite za vprašanje klimatskih sprememb) so šibka, njihov vpliv na odločitve pa je izredno težko oceniti. Prevladuje neformalno povezovanje med ministrstvi (oz. med posameznimi nosilci nalog) na različnih nivojih odločanja. Ob nastopu določenega medsektorskega problema ali vprašanja ministrstva ustanovijo ad hoc medresorske projektne skupine.

To stanje se kaže tudi v strukturi proračunskih postavk, ki skoraj ne dopuščajo prehajanja sredstev preko formalno določenih meja. Medsektorski projekti so redkost, med drugim tudi zaradi togosti financiranja projektov s sredstvi iz javnega proračuna.

Predstavniki MOP praviloma niso vključeni v zgodnje faze priprave politik, strategij in programov v drugih sektorjih (predvsem promet in kmetijstvo). Vendar velja tudi obratno; predstavniki drugih sektorjev niso zadostno in pravočasno vključeni v pripravo strateških dokumentov, ki se pripravljajo na MOP. Praksa je, da se potencialni spori in neskladja uskladijo v procesu medsektorskega usklajevanja, katerega potek (prakso) bi morali podrobneje raziskati.

Šibko je tudi sodelovanje drugih deležnikov, predvsem znanstvenoraziskovalnih, nevladnih

organizacij varstva okolja in varstva narave ter lokalnih skupnosti, ki so pomemben dejavnik izvajanja obveznosti na treh tematskih področjih.

Za gospodarska združenja (predvsem GZS) kot posebne deležnike velja, da so intenzivne vključeni v dejavnosti priprave programov in predpisov kot šibkejši deležniki (npr. nevladne organizacije). Sodelovanje deležnikov ni odvisno samo od formalnih pogojev – zelo je odvisno tudi od materialnih razmer, v katerih delujejo. Šibkost enega sektorja (npr. nevladnih organizacij varstva okolja) lahko pomeni prednost drugega (npr. Gospodarske zbornice Slovenije) pri uveljavljanju svojih interesov.

Procesi in postopki sodelovanja – razen v različnih svetovalnih in posvetovalnih telesih, za katere je predpisano sodelovanje neinstitucionalnih deležnikov – niso formalizirani in se izvajajo glede na voljo posameznih odločevalcev. To velja predvsem na ravni priprave političnih in strateških dokumentov, izvajanja predpisov ter presojanja učinkovitosti in uspešnosti tega izvajanja.

Na to pomanjkljivost, ki je opazna tudi zunaj okvirov treh konvencij, so večkrat opozarjale civilnodružbene organizacije. Zahteve za pravno ureditev sodelovanja javnosti v postopkih priprave zakonov, predpisov in programov je mogoče zaslediti že sredi 90. let prejšnjega stoletja. Zahteve so se še posebej okrepile po letu 2002, ko se je v Sloveniji pričel proces »Civilni dialog«. Hkrati je slovenska vlada v Strategiji nadaljnjega razvoja slovenskega javnega sektorja kot enega izmed treh stebrov »odprte uprave« predvidela formalizacijo »pravic[e] državljanov in civilne družbe do participacije pri sprejemanju predpisov«.

Pomemben mejnik v dostopnosti informacij je februarja 2003 sprejeti Zakon o dostopu do informacij javnega značaja, ki ima podlago v Ustavi Republike Slovenije. Zakon predpisuje, da morajo državni organi med drugim v svetovni splet posredovati:

1. prečiščena besedila predpisov, ki se nanašajo na delovno področje organa, povezana z državnim registrom predpisov na spletu,
2. programe, strategije, stališča, mnenja, študije in druge podobne dokumente, ki se nanašajo na delovno področje organa,
3. predloge predpisov, programov, strategij in drugih podobnih dokumentov, ki se nanašajo na delovno področje organa.

Leta 2004 je bila ratificirana Aarhuška konvencija, ki omogoča dodatno krepitev na področju udeležbe javnosti.

2.3 Upravljanje informacij, spremljanje in opazovanje

Na vseh treh področjih so pripravljenci tematskih profilov ugotovili pomanjkljivo spremljanje stanja (še najmanj na področju klimatskih sprememb, tj. izpustov toplogrednih plinov). To je posledica:

- nezadostne intenzivnosti sedanjega sistema monitoringov,
- pomanjkljivosti sedanjega monitoringa (nezadostnega izvajanja ali omejenega obsega pokrivanja vsebine),
- odsotnosti pravne podlage ali politične volje za izvajanje monitoringa in
- neizvajanja zakonov in podzakonskih predpisov.

Tako na področju biotske raznovrstnosti ugotavljamo, da:

- se je monitoring izvajal v omejenem obsegu, predvsem zaradi zelo omejenih finančnih sredstev,
- se je inventarizacija vrst in ekosistemov opravljala v omejenem obsegu (kartiranje habitatnih tipov), medtem ko monitoringa na vrstni, ekosistemski in genski ravni praktično ni bilo (z izjemo nekaj vrst),
- so sistemske podlage za monitoring sprejete, vendar način in obseg monitoringa še ni bil določen.

Podobno stanje je tudi na področju tal. Slovenija še nima predpisa o spremljanju kakovosti tal na državni ravni, ki ga določa 97. člen Zakona o varstvu okolja, zato se redni monitoring tal še ne izvaja. Predlog NPVO predvideva pregled stanja onesnaženosti tal ter vzpostavitev državnega monitoringa tal.

Upravljanje in vodenje različnih podatkovnih zbirk je velikokrat razpršeno in neurejeno, kar zmanjšuje možnosti povezovanja. To pomeni zmanjševanje dostopnosti razpoložljivih podatkovnih nizov za pravočasno in na ustreznih informacijah temelječe odločanje o ravnanju in upravljanju z okoljem.

2.4 Ozaveščanje, izobraževanje in izmenjava informacij

Ozaveščanje in izobraževanje javnosti je bolj ali manj omejeno na občasne in spontane aktivnosti, ki izvirajo iz različnih projektov. Manjka celovito, medsektorsko sodelovanje pri pripravi dejavnosti s področja ozaveščanja in izobraževanja, ki bi presegale sektorsko usmerjenost.

Prav tako je pomanjkljivo urejeno ozaveščanje in izobraževanje znotraj institucij in med njimi, v čemer se odraža sektorski (disciplinarni) pristop. Pomanjkljivo je tudi izobraževanje na področju izobraževanja lokalnih skupnosti (občin) in njihovih

izvajalcev, čeprav so ti med ključnimi dejavniki uspešnega izvajanja vsebin, ki jih pokrivajo vse tri konvencije.

Še posebej je treba opozoriti na prevladujoče prepričanje, da je vsebin, povezanih z varstvom okolja in narave, v osnovnih, srednjih in visokih šolah mnogo premalo, kar je ostalo po prenovi učnih programov, pa je preveč razdrobljeno.

V preteklem obdobju se je dostopnost podatkov o stanju in spremembah v okolju zelo izboljšala. Čedalje več gradiv, publikacij, programov in zakonodaje je dostopnih na svetovnem spletu. Vzpostavljeni sta izmenjevalnici podatkov za področji biotske raznovrstnosti in biološke varnosti.

Slovenija je v letu 2004 postala donatorka v mednarodnem sistemu – je razvita država, kar s seboj prinaša tudi odgovornosti. Vse tri konvencije predvidevajo izmenjavo informacij, katere namen je pomagati državam v razvoju pri pripravi in izvajanju ukrepov zmanjševanja in preprečevanja negativnih vplivov in učinkov na globalne procese. Izmenjava informacij pomeni tudi znanstveno in strokovno sodelovanje z nerazvitimi državami oziroma državami v razvoju. Slovenija nima nobenega programa, s katerim bi svoje izkušnje, znanja in tehnološke rešitve posredovala tem državam. Zato je Vlada Republike Slovenije sklenila, da se mora v prihodnje intenzivneje vključiti v aktivnosti in projekte mednarodne razvojne in humanitarne pomoči, tako na bilateralni ravni kot skozi mehanizme EU in v okviru mehanizmov Organizacije združenih narodov ter v okviru drugih mednarodnih organizacij in forumov, katerih članica je Slovenija ali v katere se želi včlaniti (OECD). Slovenija mora kot polnopravna članica EU skladno s sprejetimi zavezami povečati sredstva za uradno razvojno pomoč in s tem prispevati svoj delež pri uresničevanju razvojnih ciljev tisočletja (UN Millenium Development Goals) ter k zmanjševanju razlik med razvitimi in nerazvitimi.

Ministrstvo za zunanje zadeve koordinira dejavnosti slovenskega razvojnega sodelovanja in humanitarne pomoči in ima nalogo, da pripravlja strokovne in normativne osnove za uresničevanje sistema razvojnega sodelovanja in humanitarne pomoči. Institucionalni okvir za podporo slovenski razvojni pomoči mora temeljiti na modelih, ki se uporabljajo v primerljivih državah dajalkah pomoči in mora srednjeročno zagotavljati doseganje ustrezne kompatibilnosti s principi Organizacije za sodelovanje in razvoj (OECD), Komiteja za razvojno pomoč (DAC) in splošno prakso v ostalih državah EU. V prvi fazi vzpostavljanja sistema razvojnega sodelovanja je bila decembra 2002 imenovana Medresorska delovna skupina za koordinacijo mednarodnega razvojnega sodelovanja in humanitarne pomoči. Vlada RS načrtuje tudi sprejem posebnega zakona o mednarodnem razvojnem sodelovanju Republike Slovenije.

2.5 Delovanje znanosti v podporo odločanju

Slovenija je država z omejenimi človeškimi in finančnimi viri, kar se najbolj vidi na izrabi potenciala znanja. Čeprav stanje na področju vključevanja obstoječega znanja v pripravo pregledov stanja na različnih področjih ni alarmantno (saj v veliki večini projektov sodelujejo predvsem strokovnjaki in znanstveniki zunaj javne uprave), velja splošno prepričanje, da je domača znanost zapostavljena. Veliko pomembnejše od tega prepričanja so ovire, ki preprečujejo vključevanje znanja in izkušenj v načrtovanje, upravljanje, spremljanje in vrednotenje procesov v naravi in okolju. Te ovire se kažejo predvsem kot omejeni finančni viri in nezadostno koriščenje obstoječih raziskovalnih programov.

Za znanstvenoraziskovalni sektor in nevladne organizacije velja, da imajo na voljo razpršene, majhne in nepovezane finančne vire.

Vlada Republike Slovenije financira raziskovalne programe preko Javne agencije za raziskovalno dejavnost Republike Slovenije (ARRS). ARRS opravlja strokovne, razvojne in izvršilne naloge, povezane z izvajanjem sprejetega Nacionalnega raziskovalnega in razvojnega programa v okviru veljavnega proračunskega memoranduma in državnega proračuna, ter druge naloge pospeševanja raziskovalne dejavnosti.

Raziskovalni programi so javna služba na področju raziskovalne dejavnosti, in sicer kot zaokroženo področje raziskovanja, za katerega je pričakovati, da bo aktualno in uporabno v daljšem časovnem obdobju. Ker je tovrstna dejavnost zelo pomembna za Slovenijo, je država zainteresirana za dolgoročno raziskovanje programske skupine na tem področju, kar je opredelila v Nacionalnem raziskovalnem in razvojnem programu.

Program Ciljni raziskovalni projekti (CRP) je posebna oblika znanstvenoraziskovalnega programa, s katerim MOP v sodelovanju z drugimi resorji in drugimi naročniki projektov prispeva k oblikovanju in uresničevanju strateških ciljev Slovenije, na ravni ministrstva pa k uresničevanju temeljnih dolgoročnih dokumentov. Oblikovan je kot program raziskovalno-razvojnega mrežnega povezovanja med sorodnimi področji (Uravnotežen regionalni in prostorski razvoj ter razvojna vloga okolja) na eni strani ter raziskovalnimi institucijami in vladnimi resorji na drugi strani. V letu 2005 je CRP usmerjen v raziskave na področju varstva okolja, in sicer na monitoring gozdnih ekosistemov, monitoring tal ter onesnaževanje s pesticidi. To so hkrati projekti, ki niso umeščeni le v nacionalne okvire varstva okolja, temveč sodijo v okvir prevzemanja pravnega reda EU.

Iz poročil ARRS je težko izluščiti podatek o deležu financiranih raziskovalnih programov in projektov ter ciljnih raziskovalnih projektov s treh področij.

Sintezni (interdisciplinarni) projekti so redkost. Hkrati pa ugotavljamo, da nimamo jasno določenih znanstvenoraziskovalnih vsebin, ki bi jih bilo treba opredeliti v podporo izvajanja treh konvencij.

2.6 Finančni viri in prenos tehnologij, spodbude in tržni mehanizmi

V Sloveniji je bila v zadnjih letih uvedena vrsta okoljskih dajatev in taks, s pomočjo katerih se uveljavlja načelo onesnaževalec plača. Njihovo uvajanje postaja čedalje pomembnejše zaradi vse bolj restriktivne monetarne in fiskalne politike. Zakon o varstvu okolja določa, da mora povzročitelj obremenitve kriti vse stroške predpisanih ukrepov za zmanjševanje onesnaževanja ter tveganja za okolje, rabo okolja ter odpravo posledic obremenjevanja okolja.

Namen uvajanja teh finančnih instrumentov je povečanje učinkovitosti ravnanja fizičnih in pravnih oseb v okolju ter trajnostne rabe naravnih dobrin. Ekonomski instrumenti zagotavljajo vključitev okoljskih stroškov v poslovne stroške posameznih ekonomskih subjektov, hkrati pa so lahko ustrezna motivacija za zmanjševanje onesnaženja oziroma združevanje ekonomske in okoljske politike. Do sedaj so bile v Sloveniji uvedene naslednje okoljske dajatve: taksa za obremenjevanje voda, vodna povračila, taksa za obremenjevanje zraka z emisijami CO₂, taksa za obremenjevanje okolja zaradi odlaganja odpadkov, taksa za obremenjevanje okolja zaradi nastajanja izrabljenih motornih vozil in taksa za obremenjevanje okolja zaradi uporabe mazalnih olj in tekočin.

Zakon o varstvu okolja uvaža projektno naravnane mehanizme, katerih namen je zmanjšanje emisij toplogrednih plinov na stroškovno najugodnejši način. Tako z letom 2005 uvaža trgovanje s pravicami emitiranja toplogrednih plinov ter daje pravno podlago za spodbujanje skupnih naložb v projekte zmanjševanja obremenjevanja okolja.

Predlog NPVO predvideva precejšnje stroške (nad 7 milijard SIT letno) za izvajanje ključnih programov ukrepov na področju zmanjševanja posledic hidroloških suš, monitoringa, biotske raznovrstnosti in spodbujanja rabe energije. Velika večina sredstev za izvajanje ukrepov trenutno prihaja iz javnih virov. O porabi sredstev za tovrstne dejavnosti s strani lokalnih skupnosti ni podatkov, razen za čiščenje voda in ravnanje z odpadki.

Dodaten vir sredstev v obliki ugodnih kreditov je Ekološko razvojni sklad Republike Slovenije, ki kreditira predvsem ukrepe za povečevanje energetske učinkovitosti tako v podjetjih kot tudi v gospodinjstvih.

V preteklem obdobju Slovenija ni posvečala velike pozornosti uvajanju okoljskih kriterijev pri javnih

naročilih kot tržnem mehanizmu varstva okolja. V letu 2005 je MOP to področje razglasilo za prednostno.

2.7 Usklajevanje in mreženje z lokalnimi skupnostmi

Lokalna samouprava (mestne občine, občine) in državna uprava (vlada in vladne institucije) sta osrednja akterja varstva okolja v Sloveniji. Občine zagotavljajo ravnovesje med kakovostjo bivanja in gospodarskim razvojem na lokalni ravni. Strateško gledano so občine zelo pomembne za varstvo narave in okolja (npr. oblikovanje in upravljanje zavarovanih območij, spodbujanje in izvajanje ukrepov povečevanja energetske učinkovitosti, varstva tal).

Po ZVO lahko občine sprejmejo lokalno politiko varstva okolja, ki mora biti usklajena z nacionalnimi politikami. Zelo malo občin (predvsem gre za mestne občine) je to tudi storilo. Prav tako lahko občine pripravijo ustrezne lokalne predpise, izvajajo monitoring okolja, uvedejo lokalne okoljske dajatve ali dodelijo spodbude za tiste subjekte, ki s svojimi ukrepi zagotavljajo manjše onesnaževanje okolja.

Zmogljivosti občin na področju varstva okolja in narave so kadrovske in finančno zelo omejene. Večina občin je osredotočena na zagotavljanje komunalnih storitev (oskrba s pitno vodo, zbiranje in odstranjevanje odpadkov, promet) in se s kompleksnejšimi vsebinami (npr. upravljanje zavarovanih območij) ne ukvarjajo.

Leta 2000 je bila ustanovljena Agencija za regionalni razvoj (ARR). ARR je izvajalska institucija državne regionalne razvojne politike, ki dodeljuje neposredne regionalne spodbude. ARR je ključni vezni člen med nacionalnimi, regionalnimi in lokalnimi organizacijami ter institucijami EU.

2.8 Upravljanje institucij in storilnost

Področje upravljanja institucij in njihove storilnosti je razmeroma neraziskano. Čeprav imamo na sistemski ravni večino potrebnih institucij, nimamo kvalitativnega pregleda nad njihovim upravljanjem in uspešnostjo. Zato je težko podati oceno, kakšne so zmogljivosti na ravni institucij, razen splošne ocene o pomanjkanju kadrov in omejenosti finančnih virov. Nasploh je v Sloveniji področje samoocenjevanja zmogljivosti institucij in zaposlenih slabo razvito. Šele v zadnjem obdobju

se je zaradi potrebe po zagotavljanju zmogljivosti za izvajanje nalog v sklopu članstva v Evropski uniji in reforme javne uprave pričelo z uvajanjem presojanja in vrednotenja notranjega delovanja javnih institucij.

Ugotovljene so potrebe po krepitvi predvsem kadrovske politike in upravljanja s kadri na vseh področjih (spremljanje njihove učinkovitosti in odpravljanje pojava »praznega teka«). Ukrepanje v tej smeri bi morali dopolniti z internimi ocenjevanji zaključenih projektov oziroma procesov, katerih namen je učenje na izkušnjah ter krepitev analitičnih veščin in orodij na individualni ravni.

V preteklih letih so se predvsem uvajali modeli zagotavljanja kakovosti (ISO), medtem ko se v zadnjem času za organizacije v javnem sektorju uveljavlja »skupni ocenjevalni okvir« (SOO, angleško Common Assessment Framework – CAF). Z uporabo tovrstnega modela samoocenjevanja bi bilo možno temeljito preveriti stanje v izvajalskih organizacijah ter ugotoviti možnosti za izboljšave. Samoocenjevanje izhaja iz načela, da o organizaciji največ vedo tisti, ki so v njej zaposleni, a to poznavanje redko uporabljajo in delijo z drugimi.

Skupni ocenjevalni okvir s samoocenjevanjem omogoča oz. zagotavlja:

- ocenjevanje, ki temelji na dokazih,
- doseganje konsistentnosti usmeritve in soglasja glede tega, kaj je treba storiti za izboljšanje organizacije,
- ocenjevanje po postavljenih merilih, ki so širše sprejeta v Evropi,
- da s periodičnim samoocenjevanjem merimo, kako smo sčasoma napredovali,
- povezavo med cilji in podpornimi strategijami ter procesi,
- osredotočenost dejavnosti izboljševanja na tista področja, kjer je to najbolj potrebno,
- napredovanje in izmenjavo dobre prakse med različnimi oddelki znotraj organizacij ter z drugimi organizacijami,
- navduševanje zaposlenih z njihovim vključevanjem v proces izboljševanja,
- priložnosti za prepoznavanje napredka in izjemnih dosežkov,
- vgrajevanje raznih pobud za izboljšanje kakovosti v običajno poslovanje.

Izvedba presoje (upravnih) deležnikov na področju varstva okolja in varstva narave z uporabo pristopa SOO bi gotovo prispevala k višji učinkovitosti njihovega dela. Ni podatkov o tem, ali je kateri od upravnih deležnikov tovrstno samoocenjevanje že opravil.

2.9 Individualne veščine in motivacija

Področje individualnih znanj in veščin ter motiviranosti zaposlenih je bilo v tematskih profilih zajeto v obliki analize rezultatov delavnic (matrik). Kakšne so zmogljivosti in potrebe na ravni posameznikov, je mogoče podati le okvirno z ugotovitvijo, da obstaja zavedanje o pomanjkanju določenih veščin in znanj.

Tako so udeleženci na tematskih delavnicah ugotovili pomanjkanje znanja (in kadrov) prav na presečnih področjih:

- upravljanje procesov,
- komuniciranje,
- okoljska ekonomika,
- okoljsko pravo,
- vodenje konzultativnih postopkov,
- vodenje pogajanj,
- izobraževanje in obveščanje.

2.10 Sodelovanje v mednarodnih pogajanjih in poročanje

Slovenija redno sodeluje v mednarodnih pogajanjih pogodbenic Okvirne konvencije ZN o spremembi podnebja in Konvencije o biološki raznovrstnosti, medtem ko se srečanj pogodbenic Konvencije o boju proti dezertifikaciji ne udeležuje. Na srečanjih pogodbenic sodelujejo v prvi vrsti nacionalni koordinatorji za omenjene konvencije.

Potrebna bi bila celovita analiza slovenskega prispevka na teh pogajanjih: aktivno sodelovanje je namreč odvisno od stališč, dogovorjenih na nacionalni ravni, s katerimi predstavnik lahko sploh stopi v pogajanja. Še višjo prioriteto bi bilo treba podeliti proaktivnemu – v smislu predlagateljice ali nosilke pobude – ravnanju države v mednarodnih pogajanjih.

Slovenija redno poroča o procesih in ukrepih izvajanja konvencij o biotski raznovrstnosti in podnebnih spremembah.



3. Potrebe po zmogljivostih in priložnosti za sinergetske pristope

Samoocena potreb po zmogljivostih je potekala na podlagi analize:

- osnutkov tematskih profilov za izbrana področja (CBD, FCCC, CCD),
- poročil o izvajanju konvencij, stanju okolja, proračunski porabi, o delu organov,
- sprejetih ali pripravljenih strateških in programskih dokumentov,
- rezultatov delavnic,
- matrik potreb po zmogljivostih in
- intervjujev z nacionalnimi koordinatorji in pogovorov z udeleženci dogodkov, pripravljenih v sklopu projekta NCSA.

Pri pripravi ocene so bila upoštevana metodološka navodila UNDP, usmeritve Usmerjevalno-nadzornega sveta za projekt NCSA in Projektne skupine.

Potrebe po zmogljivostih so bile ugotovljene glede na ključne funkcije, potrebne za izvajanje zahtev konvencij in izvajanje nacionalnih ukrepov:

- snovanje in oblikovanje politik, zakonov, strategij in programov,
- izvajanje politik, zakonov, strategij in programov,
- vključevanje vseh deležnikov in doseganje konsenza,
- mobilizacija znanja in informacij,
- spremljanje, vrednotenje, poročanje in učenje.

Potrebe po zmogljivostih so bile identificirane na sistemski, institucionalni in individualni ravni.

Na podlagi predhodne analize rezultatov delavnic po posameznih področjih je bil pripravljen seznam ukrepov za krepitev zmogljivosti na presečnih področjih. Ukrepi so bili predstavljeni na delavnici za presečna področja, kjer so jih udeleženci še dopolnili z dvema ukrepoma. Namen predhodnega ugotavljanja ukrepov je bil, da udeležencem delavnic poda logični okvir za ugotavljanje potreb po krepitevi zmogljivosti.

Tabela 2: Pregled ugotovljenih potreb po krepitevi zmogljivosti

Snovanje in oblikovanje politik, zakonov, strategij in programov	
Raven	Potrebe
Sistemska	<ul style="list-style-type: none"> • Vključevanje načel trajnostnega razvoja v nacionalne strateške dokumente (predvsem SRS in DRP), • ureditev področja načrtovanja na različnih ravneh, • vključevanje okoljskih vsebin v izvedbene dokumente na državni ravni, • uvajanje mehkih instrumentov medsektorskega sodelovanja (dogovori, sporazumi itd.), • ureditev področja razvojnih pomoči državam v razvoju.
Institucionalna	<ul style="list-style-type: none"> • Oblikovanje sistemskih možnosti za sodelovanje med sektorji, • izobraževanje odločevalcev za doseganje večje občutljivosti za problematiko ohranjanja narave in varstva okolja, • krepitev obstoječih posvetovalnih teles, • ustanovitev nacionalnih posvetovalnih teles na področju biotske raznovrstnosti in varstva tal, • operacionalizacija Slovenskega sveta za trajnostni razvoj.
Individualna	<ul style="list-style-type: none"> • Izobraževanje kadrov za pripravo strateških dokumentov, • usposabljanja za krepitev pogajalskih sposobnosti, • izobraževanje kadrov v drugih sektorjih o vsebinah treh konvencij s poudarkom na sinergijah in »sektorskih« učinkih.

Implementacija politik, zakonov, strategij in programov	
Raven	Potrebe
Sistemska	<ul style="list-style-type: none"> • Spremljanje izvajanja programov in predpisov z namenom preseganja kompetenčnih sporov in pomanjkljivega izvajanja, • razvoj kazalnikov uspešnosti izvajanja programov in predpisov za zagotovitev merljivosti njihove uspešnosti oz. učinkovitosti s ciljem preseči sedanje stanje, • ureditev področja »civilnega dialoga«, • diverzifikacija finančnih virov za izvedbene in podporne dejavnosti, • dejavno ugotavljanje kadrovskega potreb v izvajalskih institucijah in izdelava programa izobraževanja in usposabljanja človeških virov, • zagotovljena ciljna poraba sredstev, zbranih iz okoljskih dajatev.
Institucionalna	<ul style="list-style-type: none"> • Krepitev medsektorskega sodelovanja na prednostnih področjih, • avtonomizacija in krepitev nadzornih in inšpekcijskih služb, • izvedba samopreseje po metodi »Skupni ocenjevalni okvir« v izvedbenih institucijah, • spodbujanje partnerstev z lokalnimi in nacionalnimi deležniki.
Individualna	<ul style="list-style-type: none"> • Motiviranje posameznikov za doseganje ciljev.
Vključevanje vseh deležnikov in doseganje konsenza	
Raven	Potrebe
Sistemska	<ul style="list-style-type: none"> • Ureditev področja posvetovanja z različnimi deležniki pri pripravi strateških in zakonskih predlogov z zakonom o konzultacijah, • ureditev postopka celovite presoje vplivov na okolje (vsebina okoljskega poročila, metodološka navodila itd.), • predhodno preverjanje smotrnosti, izvedljivosti predpisov in analiza njihovih učinkov, • ureditev statusa organizacije v javnem interesu za krepitev pravnega varstva, • oblikovanje posebnih finančnih virov za omogočanje/lajšanje sodelovanja javnosti oz. nevladnih organizacij, • dosledno izvajanje Aarhuške konvencije.
Institucionalna	<ul style="list-style-type: none"> • Zagotoviti transparentnost delovanja pripravljalnih in/ali izvedbenih institucij, • spremljanje in vrednotenje posvetovalnih procesov, • krepitev lokalnih partnerstev in razvojnih skladov, • določitev postopkov za proaktivno omogočanje dostopa do podatkov in informacij.
Individualna	<ul style="list-style-type: none"> • Usposabljanje za pripravo in izvedbo konzultativnih procesov, • usposabljanje za komuniciranje z javnostmi.

Mobilizacija znanja in informacij	
Raven	Potrebe
Sistemska	<ul style="list-style-type: none"> • Oblikovanje programov za podporo medtematskih raziskovalnih dejavnosti, • omogočiti dostop do dodatnih finančnih virov (javnih, zasebnih), • vzpostavitev komplementarnega modela izmenjevalnic informacij.
Institucionalna	<ul style="list-style-type: none"> • Medsektorsko oblikovanje in določanje prednostnih skupnih oz. presečnih raziskovalnih vsebin, • povezovanje med strateškimi partnerji (gospodarstvo, lokalne skupnosti, država), • oblikovanje medtematskih izobraževalnih programov za različne deležnike.
Individualna	<ul style="list-style-type: none"> • Zmanjševanje kadrovskega deficita na področjih okoljske ekonomike in okoljskega prava.
Spremljanje, vrednotenje, poročanje in učenje	
Raven	Potrebe
Sistemska	<ul style="list-style-type: none"> • Identifikacija in ureditev manjkajočih programov spremljanja stanja, • metodologije načrtovanja programov ter spremljanja izvajanja ukrepov in nalog, • ugotavljanje sinergističnih potencialov v obstoječem sistemu spremljanja stanja okolja in narave.
Institucionalna	<ul style="list-style-type: none"> • Vzpostavitev sodelovanja med nosilci/izvajalci monitoringov, • določitev modelov/poti za izmenjavo informacij, • povezovanje in izmenjava izkušenj s primerljivimi državami na področju spremljanja stanja v okolju.
Individualna	<ul style="list-style-type: none"> • Usposabljanje za izvajanje monitoringa.

Ugotovljene potrebe po krepitvi zmogljivosti na presečnih področjih treh globalnih konvencij so izhodišče za pripravo akcijskega načrta. Pomembno je, da akcijski načrt v nadaljevanju pod svoje okrilje prevzamejo pristojna ministrstva. Ukrepati je potrebno predvsem na področjih usklajevanja prednostnih vsebin, izboljšanja sistema spremljanja in vrednotenja dosežkov glede na izvedene ukrepe, horizontalnega in vertikalnega sodelovanja, povezovanja finančnih in kadrovskih virov ter aktivnega vključevanja deležnikov.

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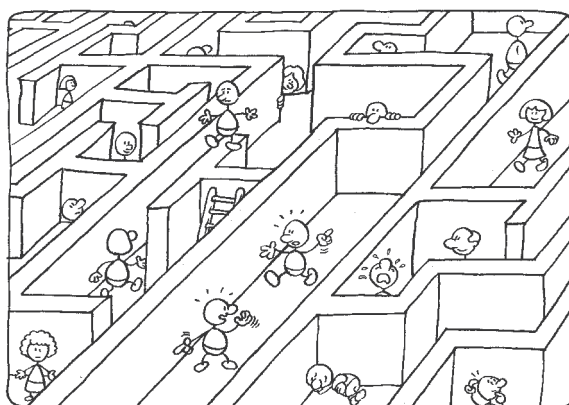
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(National Capacity Self-Assessment)



ASSESSMENT OF IMPLEMENTATION OF MEASURES IN CROSS-CUTTING AREAS OF THE THREE GLOBAL CONVENTIONS



author of illustration: Zoran Smiljanić

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FOREWORD

Slovenia is faced with development changes which are further accelerated by access to EU Structural and Cohesion funds. In designing numerous development projects, a lot of wisdom and skills is required to equitably take into account not only economic but also environmental and social aspects of the development. Integration and consideration of sustainable development principles is required by numerous international agreements, among them also three global conventions: the Framework Convention on Climate Change, the Convention to Combat Desertification/Land Degradation and the Convention on Biological diversity. Fulfilling the requirements of these conventions importantly contributes to sustainable management of global environment. Implementation of the Conventions is lagging behind in practice; therefore available capacities on systemic, institutional and individual level have to be improved. The objective of the NCSA (national capacity self-assessment) project is to assess the deficiencies and obstacles and to prepare an action plan to build capacities for the implementation of the three global conventions.

In the first year of NCSA (National Capacity Self-Assessment) project implementation, members of the project group – in cooperation with more than a hundred participants at 12 workshops – prepared thematic profiles. Implementation of the conventions was assessed, priority measures that are planned in Slovenia were analysed, needs were also identified to build capacities for meeting the requirements of the conventions.

Four thematic profiles were prepared:

- Assessment of implementation of the Convention on Biological Diversity,
- Assessment of implementation of the Convention to Combat Desertification/Land Degradation,
- Assessment of implementation of the Framework Convention on Climate Change,
- Assessment of implementation of measures in cross-cutting areas of the three global conventions.

The assessment of implementation of the conventions, and above all the identified deficiencies and needs for capacity building, served us as a starting point to identify strategic goals and to prepare a capacity building action plan. The plan presents a range of concrete activities to build capacity to implement each of the three conventions, as well as measures in cross-cutting areas. The action plan should serve as a basis to outline future projects which will be implemented by various stakeholders, while it is also targeting the representatives of other sectors to integrate the environmental dimension more thoroughly into the preparation of policies and programmes.

We believe that the results of the NCSA project which are presented in five inter-related publications will contribute to achieving our initial goal – to enable proper integration of environmental goals into development policies and programmes in Slovenia, thus enhancing the contribution of our country to the management of global environment.

Milena Škrl-Marega, REC Slovenia

NCSA PROJECT BACKGROUND

In the 1990's, international community made an agreement to protect global environment which was largely operationalised by the preparation and ratification of three global conventions: the UN Framework Convention on Climate Change (UNFCCC), the Convention on Biological Diversity (CBD) and the UN Convention to Combat Desertification/Land Degradation (UNCCD). During the last decade, the main obstacle to implementation of the conventions in many countries was the lack of capacity on different levels: the functioning of the state, institutions, and individuals within institutions. The difficulties were even more distinctive in developing and transition countries where general awareness of and support to sustainable development were on a considerably lower level. Therefore, within the discussion on the implementation of the conventions in practice, a special attention was given to the issue of capacities and the possibilities for their improvement in all parties to the conventions.

Problems related to the lack of capacities were also pointed out by the Secretariates of the conventions who started to carry out capacity building activities. The Global Environmental Facility – GEF realized the need for integrated approach to building capacities for the implementation of the conventions. An opportunity was seen in joint treatment of thematically related conventions which would increase the possibilities for common action in all three areas. The idea of NCSA for global environmental management was gradually developing and in 2001 the GEF supported the implementation of NCSA projects. The projects are carried out in more than 20 countries while in some countries they were already successfully completed.

In the context of the NCSA project, capacity building can be taken as the actions needed to enhance the ability of individuals, institutions and the state system to define and achieve the objectives and to carry out the planned activities in a sustainable way. Therefore, capacity building is a process of changing or accepting the values, responsibility, actions, skills and policies. Managing changes and consequently changing capacities in an efficient manner is a strategic imperative for sustainable development of organisations and communities.

NCSA PROJECT IN SLOVENIA

In Slovenia, the project was organised by the Ministry of Environment and Spatial Planning and it was carried out by REC – Regional Environmental Centre for Central and Eastern Europe, Country Office in Ljubljana. The project team was composed of national coordinators for individual conventions

and GEF, experts that prepared thematic profiles, and REC staff. The entire implementation of the national capacity self-assessment was based on the wide consultation principle – involvement and participation of all key stakeholders: representatives of government institutions, local communities, non-government organisations, professional institutions and the business sector.

The NCSA project objective is to identify capacity building needs for global environmental management and to prepare an action plan proposing activities to improve the capacities required for the implementation of three global conventions in Slovenia. The project covers three environmental areas addressed by the above mentioned conventions. These conventions were launched to address environmental problems and have a lot in common; therefore cross-cutting issues (where the areas covered by two or three conventions can be improved by individual measures) are given a special attention within the NCSA project. Thus, one of the project goals was to propose individual activities improving implementation of all the three conventions.

Specific objectives of a two-year project were:

- To prepare an assessment of the implementation of three global conventions in Slovenia and to identify the areas where capacity building is required.
- To prepare a national capacity building action plan for the implementation of the three conventions.
- To integrate the contents of the action plan into sectoral policies and programmes and to help stakeholders in laying out the projects to implement the action plan activities.

CAPACITY BUILDING WITHIN THE NCSA PROJECT

Capacity building includes activities that are required to improve the capacities of individuals, institutions and the system to prepare and make decisions and to efficiently and sustainably carry out their tasks. Capacity building is therefore a process of changing or accepting new values, responsibility, action, skills and policies. The capacity building process runs on three levels:

- On the systemic level, the emphasis is on establishing a favourable environment, i.e. the policies, economic and legal frameworks for the functioning of institutions and individuals. The systemic level also includes fostering relations and cooperation between institutions.

- On the institutional level, we are talking about general organisational effectiveness and management, as well as capability of adapting to changes, financial and human resources capacities, equipment, etc. On this level, a clear division of responsibilities and tasks between different institutions and definition of their reporting obligations is required.
- Capacity building on the individual level includes processes of changing relations and actions of individuals, learning and training of employees and increasing their efficiency, motivation and responsibility, access to information, training, interconnecting, etc.

The first step in the capacity building process is identifying which capacities are actually required and for which tasks. Since the parties to the conventions are independent (apart from secretariat guidelines) in their implementation, the ways of achieving goals are different. Nevertheless, certain principles, on which self-assessment is based, have to be followed during project implementation. The project has to be carried out within a country, in national institutions, with local experts and with paying regard to all achieved results that affect the implementation of the conventions. The project has to be supported on the national level, especially by national institutions, and key stakeholders have to be involved by following the consultation principle. For the comprehensive capacity building analysis, capacity building needs have to be assessed on systemic, institutional and individual levels. In order to ensure a permanent impact of the project, a long-term approach to capacity building in the wider framework of sustainable development has to be used.

Through organisation of regional workshops, UNDP enables coordination of projects in all participating countries, networking of institutions responsible for carrying out national projects. It also encourages debate on methodological approaches, ways of solving problematic aspects of the process and exchange of experience. In this way, institutions responsible for NCSA project implementation in individual countries can build on experience from other participating countries. Although UNDP recommends project implementation methods, countries are autonomous in their selection and it is even desirable to adapt them to specific national features and characteristics. In Slovenia, the following factors were taken into account when selecting methods:

- In Slovenia, the differences between the three conventions in the extent of their implementation are considerable which is also due to other environmental conventions and the requirements of EU environmental policy. Climate change issues are climbing up on the priority

agenda and Slovenia also follows this trend. Nowadays, the Convention to Combat Desertification/Land Degradation is given the lowest priority – it is implemented only to a limited extent and is given no support in terms of finance or human resources. Due to these differences, the availability of information also varied considerably, which is reflected in different approaches to capturing information and the quantity of information in individual thematic profiles.

- Many activities in the area of environmental management are carried out due to domestic priorities or are a result of fulfilling obligations to EU. Nevertheless, the conventions are also being implemented indirectly by these activities, therefore they were included in the assessment.
- Difficulties in acquiring political support for the project were already felt in early stages of the project. Consequently, participation of public administration representatives at the workshops was relatively low. As a result, the approach had to be adapted to the situation and a significant share of information and opinions was acquired through individual interviews with stakeholders.
- To avoid uncomfortable feelings among interviewed individuals, the existing capacity weaknesses related to the functioning of institutions were discussed in a form of interviews led as a constructive debate about possible improvements in the future.
- Taking into account the situation in Slovenia, involvement and participation of non-government organisations was good and constructive.
- National representatives for individual conventions as well as the national GEF coordinator at the Ministry of Environment and Spatial Planning substantially contributed to successful implementation of the project with their constructive cooperation and overall support.



The NCSA project in Slovenia was carried out in four phases:

- Phase 1:** Project initiation;
- Phase 2:** Assessment of capacities for the implementation of three global conventions and capacities in cross-cutting areas;
- Phase 3:** Preparation of the capacity building action plan for the implementation of the conventions;
- Phase 4:** Integration of action plan contents into sectoral policies and programmes and preparation of project outlines for the implementation of capacity building activities.

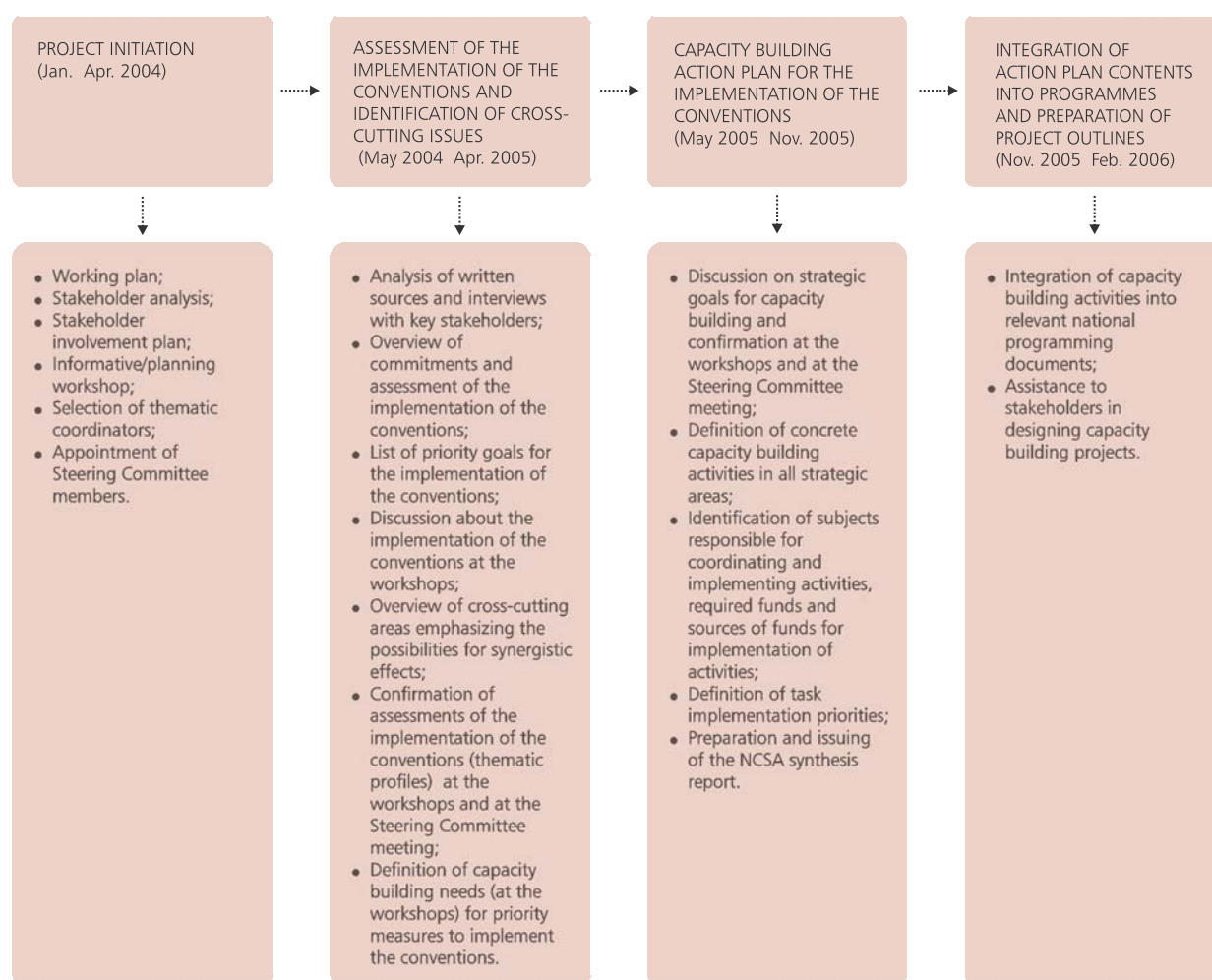


Figure 1: NCSA project flow scheme and activities within individual project phases

Assessments of capacities for the implementation of the three global conventions and capacities in the cross-cutting areas are presented in four thematic profiles for individual thematic areas (results of work until the 2nd project phase), while

summarized capacity building needs and the action plan – a list of activities required for capacity building (joint result of work in all four project phases) – are presented in the synthesis report on the implementation of the three conventions.

PURPOSE AND STRUCTURE OF THEMATIC PROFILES

Four thematic profiles in the areas covered by three global conventions and in cross-cutting areas are a basic working material and a constituent part of the synthesis report on national capacity self-assessment for global environmental management.

The precondition for planning capacity building activities is good knowledge of the situation in the areas covered by the conventions. This is the intention of thematic profiles – to acquire a detailed insight into priority guiding principles for the implementation of the conventions, to assess existing capacities, to identify deficiencies and obstacles to the implementation of the conventions and to define the needs for further capacity building. More precisely, the goal is to identify capacity deficiencies on systemic, institutional and individual levels which will have to be improved or eliminated in order to successfully meet the requirements of the conventions.

Thematic profiles are a basis for shaping strategic and operational guidelines and the capacity building action plan to meet the requirements of the conventions. The action plan gives a more detailed definition of required activities, expected results and effects, timeframe, subjects responsible for the implementation of activities, cooperation between institutions, financial sources and other mechanisms which will be used to implement policies and programmes required by the conventions.

Thematic profiles were prepared in accordance with UNDP international guidelines, while on the national level all important documents (strategies, programmes, reports, etc.), ongoing processes as well as projects in course of implementation were taken into consideration.

METHOD OF WORKING IN THE PREPARATION OF THEMATIC PROFILES

In the first and second phase of the project (the results are presented in thematic profiles), the following key activities were carried out:

1. Stakeholder analysis

At the beginning of the project we prepared an overview and a brief analysis of institutions and individuals as well as other stakeholders who are

relevant in the area of environmental management and are also at least indirectly active in the areas of the conventions.

2. Assessment of the implementation of the conventions

Based on public tender, thematic coordinators were selected for individual areas covered by the conventions. With the help of national representatives of the conventions and stakeholders they prepared the assessment. The work included collection of written sources (convention implementation reports, reports of national institutions, important works from the areas covered by the conventions, legal regulations and programming documents) and interviews with key stakeholders. An overview of obligations under the conventions and an assessment of their implementation were prepared and capacities were assessed in more detail on systemic, institutional and individual level. Within the assessment phase, two workshops were carried out for each thematic area. In the first round of workshops draft assessments of the implementation of the conventions were presented. Afterwards, participants shared their views on the progress in and obstacles to the implementation of the conventions. In this way, participants contributed to shaping draft thematic profiles. In the second round of workshops the discussion covered national priorities for the implementation of the conventions while participants also prepared an in-depth analysis of capacity building needs for some priority measures.

3. Cross-cutting analysis

The analysis of thematic areas was followed by the analysis of cross-cutting issues. Here, the process was carried out in the same way as in other three thematic areas.

4. A list of capacity building needs

After the assessment and before the final project phase which included the preparation of the action plan, a list of capacity building needs was prepared. This list served as a basis for the preparation of a list of concrete activities making up the capacity building action plan. The project team defined five strategic goals to be achieved by the implementation of the action plan. The final round of workshops with stakeholders was dedicated to further discussion of the proposed goals and their amendment, and above all to the preparation of a list of required capacity building activities. The results of all workshops were taken into consideration during the preparation of the final version of thematic profiles, especially in the phase of defining strategic goals for capacity building.

Each thematic profile is divided into four chapters.

The first chapter briefly presents the area covered by the convention (biodiversity, climate change or land degradation), the convention is presented in the international context together with obligations of the parties, followed by the description of the situation in Slovenia and main threats and guiding principles related to conservation of biodiversity/conservation of soil/reduction of impacts on climate.

The second chapter presents past activities and current priority goals of Slovenia related to the implementation of the convention.

In the third chapter, capacities for implementation of priority tasks are assessed on three levels – systemic, institutional and individual. The assessment is based on tasks of key institutions related to the implementation of the conventions and defined by regulations and policies.

The fourth chapter summarizes the key findings on achieving priority goals of the implementation of the convention and gives an overview of capacity building needs.

The cross-cutting issues thematic profile has a similar structure while it also includes an assessment of the implementation of measures related to all the three conventions, and gives an overview of the capacity building needs that significantly affect the implementation of the conventions.

Thematic profiles are concluded with a list of capacity building needs and a list of five priority goals to build capacities. The continuation of thematic profiles is a Capacity Building Action Plan presented in the Synthesis Report of the NCSA project.

Abbreviated versions of thematic profiles divided into the above mentioned chapters are published in printed publications. The full content of thematic profiles, where the capacity building needs for the implementation of the conventions are presented in more detail and in more chapters, is available on the REC web page www.rec-lj.si.

Draft thematic profiles were prepared by thematic coordinators in cooperation with national representatives for individual conventions, while representatives of key institutions and non-government organisations were also involved in the preparation. In this way appropriate legitimacy can be given to these documents, while in terms of the content, the national level of self-assessment is guaranteed. The process of the preparation of thematic profiles was an opportunity for a strategic dialogue, and above all an opportunity to define future activities which will involve cooperation of all key stakeholders.



Annex 1: List of Abbreviations

CBD	Common Assessment Framework
CBD	Convention on Biodiversity
CC	Chamber of Commerce
CCD	Convention to Combat Desertification
DAC	Development Aid Committee
EEA	European Environmental Agency
EIA	Environmental Impact Assessment
EPA	Environmental Protection Act
EU	European Union
FCCC	Framework Convention of Climate Change
ISO	International Organization for Standardization
OECD	Organization for Economic Co-operation and Development
MESP	Ministry of Environment and Physical Planning
NARD	National Agency for Regional Development
NCSA	National Capacity Self-Assessment
NPA	National Environmental Action Plan
NPA	Nature Protection Act
RIA	Regulatory Impact Analysis
RS	Republic of Slovenia
SEA	Strategic Environmental Assessment
SRA	Slovenian Research Agency
TRP	Targeted research projects
UNDP	United Nations Development Programme

ASSESSMENT OF IMPLEMENTATION OF MEASURES IN CROSS-CUTTING AREAS OF THE THREE GLOBAL CONVENTIONS

SUMMARY

Three Global Conventions (on Biological Diversity, Climate Change, and Desertification/Land Degradation) are among the so-called Rio Conventions. The sustainable development concept has a clear goal – »to meet our present needs without compromising the possibilities of future generations to meet their needs«. This can be achieved only through sustainable, balanced and nature-friendly economic, social and environmental development which takes into account limited natural resources, interdependence and the principle of social justice.

In an overview and assessment of implementation of the three Global Conventions in cross-cutting sections, we were focused on systemic, institutional and individual capacities of the existing model. Apart from insufficient horizontal and vertical cooperation in public administration, cooperation between various stakeholders outside public administration is also weak. In all areas we come across incomplete data sequences gathered through environmental monitoring. Decision-making processes, tools and practices do not ensure sufficient public involvement. At the systemic level, there is no connection between planning, implementation, monitoring and reporting on efficiency and effectiveness of policies, programmes and projects at various administrative – from governmental to local – levels. Moreover, Slovenia is facing insufficiency of existing human resources and lack of financial resources for meeting the requirements of the three Global Conventions. And last but not least, Slovenia still does not provide sufficient development aid to developing countries. Such a situation is of course far from surprising.

Identification of needs, prepared in cooperation with stakeholders, revealed that capacity of stakeholders would have to be strengthened at systemic, institutional and individual levels. High quality development planning with integration of environmental issues into national planning and implementation documents will have to be ensured. In this area, systemic bases for monitoring and evaluation of their implementation will have to be provided. Institutional possibilities for timely and efficient involvement of stakeholders into procedures of preparation and implementation of agreed measures have to be strengthened. To overcome sectoral approach, special attention has to be given to strengthening capacities of

stakeholders (education and training for preparation of strategic documents, monitoring and evaluation of implementation, consultative processes and communication with stakeholders). In the area of expertise, the existing models of financial incentives and tenders have to be adapted - and the new ones have to be introduced – to include synergetic criteria linking different sectors and professions. For more efficient implementation of soil protection, biodiversity and climate change measures, new forms of cooperation have to be strengthened or developed (local public-private partnerships). Apart from strengthening inspection bodies, transparent assessment of regulations and programmes through the introduction of regulation impact assessment (RIA) and strategic environmental assessment (SEA) has to be promoted.

In assessing the situation, a lot of attention was given to the processes at the national level that are in different ways trying to eliminate identified deficiencies and obstacles for more successful and efficient implementation of measures and meeting the requirements of the three Conventions.

As regards meeting the requirements of the three Conventions, national programmes and regulations, there are still a lot of possibilities and opportunities for the improvement of efficiency and success of the existing model of governance and management in the Republic of Slovenia. Due to limited human and financial resources, the capacities of the Republic of Slovenia to cover the entire scope of issues in three selected areas are insufficient. Therefore, action has to be taken especially in the areas of reaching the consensus about priority issues, improvement of a system of monitoring and evaluation of measure implementation, cooperation (horizontal, vertical), integration of (financial, human) resources and active involvement of stakeholders.

1. Identification of cross-cutting issues

For the needs of self-assessment of capacity needs and the analysis of the situation in Slovenia, the following cross-section areas have been determined:

- National political, legal and administrative framework;
- Institutional competences and processes of involvement and mediation among stakeholders;
- Handling of information, monitoring and observation;
- Awareness raising, education and exchange of information;
- Activation of science to support decision-making;
- Financial resources and transfer of technology, incentives and market mechanisms;

- Mediation and networking with lower administrative levels;
- Management of institutions and efficiency;
- Individual skills and motivation;
- Participation in international negotiations.

Cross-cutting issues defined in this way show similarities in formal structure of the three Conventions while they differ in content (i.e. also regarding the contents, possibilities and instruments for taking action). Meeting the requirements of the Conventions (in a form of national measures defined by strategic, operational and legal instruments) affects all levels of social activity – political, economic, social and environmental. Therefore, certain elements of a model overcoming a traditional, sectoral development principle can be identified.

Table 1: Commitments of Parties to Conventions

Contents/requirements	CBD	FCCC	CCD
Elaborate national inventory	(¹)	Article 4.1 a	
Elaborate national action plan	Article 6.a and 6.b (»strategies«)	Article 4.1 b	Articles 9 and 10
Establish current situation and monitoring of changes	Article 8		Article 16
Establish protected areas	Article 8		
Adopt required legislation	Article 8.k	Preamble	Article 5.e

¹ Convention on Biological Diversity determines responsibility of keeping genetic resources collections.

Contents/requirements	CBD	FCCC	CCD
Carry out research activities	Article 12.b	Article 5	Articles 17 and 19.b
Integrate issues into education of the public	Article 13	Article 6	Articles 5.d, 19 and 6
Develop Environmental Impact Assessments	Article 14	Article 4.i.d	
Establish exchange of professional information	Article 18		Article 18
Enable public participation	(²)	Article 6.i.a. and 6.iii	Article 19.4
Ensure exchange of information	Article 17	Article 7	Article 16
Establish a stakeholders training system	Article 12.a	Article 6	Article 19
Ensure regular reporting	Article 26	Article 12	
Develop a data collection system			Article 16
Assess implementation of the Conventions' provisions	Article 23	Article 7.e	
Communicate to the Conference of the Parties	Article 26	Article 12	Article 26

Traditionally, thematic areas are primarily covered by environmental and nature protection institutions (e.g. the Ministry of Environment, the Environmental Agency of the RS) that are trying to integrate protection goals into other sectors (energy, transport, agriculture, industry, trade, etc.) within the administrative system. Environmental and nature protection policy understands activities in the areas of transport, energy, agriculture as a pressure on the environment, while the sectoral institutions see them primarily as generators of future development and growth. Therefore, achieving sustainable management at the national level means overcoming of this potentially and actually conflicting situation. Possible consequences of insufficient action are predictable.

Therefore, self-assessment of capacity needs in cross-cutting areas is primarily intended to analyse capability and capacity of decision makers, public administration and other stakeholders in formal areas which are a pre-condition for efficient and successful implementation of the above mentioned measures.

During the assessment of implementation of the three Conventions (thematic profiles), a considerable number of cross-cutting contents was revealed where the need for capacity and capability building was identified. Based on the analysis of thematic profiles (descriptions of the state of implementation of individual Conventions) and

reports from individual workshops, the following summary in the form of theses was prepared:

1. Each of the three Conventions has different weight in the Republic of Slovenia – the weakest is the Convention to Combat Desertification (Slovenia as a Party is not attending meetings of the Convention although it has decided to assume a status of an »affected« country); as a result, insufficient data on the state of soil is available.
2. Some key operational political documents are still missing (Biodiversity Conservation Action Plan, Soil Protection National Programme, adapting of agriculture to climate change, etc.).
3. In past years a lot of attention and financial resources was given to legal regulation of individual areas (within the process of Slovenia's EU accession). At the same time, institutional strengthening of a system was carried out (establishment of new and reorganisation of existing institutions). A considerable number of legal documents still has to be prepared in all three areas.
4. Cooperation and harmonisation of administrative and professional institutions is deficient and insufficient; it is often carried out only informally (ad hoc working bodies for elimination of problems or deficiencies) and is not a part of permanent institutional framework.

² The Cartagena Protocol requires public participation in the area of biotechnology.

5. Involvement of non-governmental organisations and the public in processes of preparation and implementation of policies is limited to the »notice and comment« model.
6. In all three areas, deficiencies are evident in establishment and implementation of monitoring (content, extent and implementation of monitoring). It appears that monitoring is primarily carried out to fulfil obligations of monitoring and reporting to the European Commission and its institutions (EuroStat, European Environmental Agency – EEA).
7. There is no monitoring system to tell us whether implementation of measures is efficient and successful and whether the set goals have been achieved – the goals are often loose and descriptive.
8. Education for »sustainable development« or for the three Conventions is limited to sectoral efforts; examples of inter-sectoral integration in the area of education are rare.
9. Providing of and access to information on the state of the environment and relevant measures have improved in the past period, however it still fails to overcome the sectoral approach.
10. Too little attention is given to »information exchange«. Information exchange on good practice examples, technological or methodological solutions that contribute to efficient implementation of measures is an obligation of all Parties to the Conventions.
11. In the area of science and research, there is not enough financial resources to carry out necessary research and research programmes (assessing the current state, managing the collections, methodological issues, etc.). There is also lack of inter-sectoral (or inter-disciplinary) target-research contents related to the needs of the Convention implementation.
12. The »diversity« in the area of financial mechanisms is very poor – financial resources (especially private) to support measures are insufficient.
13. More active involvement of institutions at regional (Regional Development Agencies) and local (local communities, local organisations) level is needed. The »top-down« approach prevails which – among other – is a result of poor choice of financial incentives to local projects (biodiversity conservation, energy efficiency improvement, soil protection, etc.).
14. Slovenia is not yet completely aware of its responsibility to global problems – as a member of the »developed« club it should also assume the responsibility for solidarity aid to developing countries in all three areas.

Finally, common problems in all three areas are:

- insufficient existing human resources,
- lack of financial resources, and
- »unfavourable« institutional climate.

These problems are not cross-cutting but they are common to all areas and in most cases they adversely affect successful and efficient implementation of national policies and fulfilment of international obligations. Due to these limitations, action is needed to improve efficiency in using the existing resources; especially to improve cooperation and mediation between policy-makers and to enhance their capacities and capabilities.

The assessment of implementation of the three Conventions and international programmes and regulations in the Republic of Slovenia reveals many unused possibilities and opportunities for the improvement of efficiency and effectiveness of the existing governance and management model. If we assume that the Republic of Slovenia has limited human and financial resources and that the extent of problems exceeds the capacities, we can conclude that possibilities exist especially in harmonisation of priority issues, improvement of a system to monitor and evaluate the results of implemented measures, cooperation (horizontal, vertical), integration of (financial and human) resources and involvement of stakeholders.

The assessment of capacities to implement measures in three areas can be summarised in the following statements:

- Insufficient horizontal and vertical cooperation in public administration.
- Insufficient cooperation between various stakeholders outside public administration.
- Insufficient and deficient data sequences gathered through environmental monitoring.
- Lack of harmonization between decision making processes, tools and practices.
- Insufficient involvement and participation of the public.
- Planning, implementation, monitoring and reporting (between different administrative levels, the state – local communities) are not interconnected.
- Insufficient existing human resources.
- Lack of financial resources.
- Insufficient aid to developing countries.

2. Analysis of cross-cutting issues

Three Global Conventions (Biodiversity, Climate Change, and Desertification) are among the so called Rio Conventions. Agenda 21, a global programme to implement sustainable development principles, was also adopted in Rio de Janeiro. The sustainable development concept has a clear goal – »to meet our present needs without compromising the possibilities of future generations to meet their needs«. This can only be achieved through sustainable, balanced and nature-friendly economic, social and environmental development which takes into account limited natural resources, interdependence and the principle of social justice. This spirit is also evidently present in the Rio Conventions.

For their implementation, integrated and coordinated planning and acting of all stakeholders is needed. Synergies have to be achieved between various measures and actions at all levels, from local to global.

2.1 National political, legal and regulatory framework

The process of accession and entering of the Republic of Slovenia into the European Union dominated past mid-term period. During this time, adapting Slovenian legislation to European norms was given top political and social priority at the national level. A lot of public administration capacity was engaged in preparation of required programming and regulatory instruments necessary for entering of the country into the European Union.

Such an estimate and the number of pending necessary (obligatory) acts and by-laws demanded additional action to strengthen administrative capacity for their implementation and enforcement. At the same time, estimates on implementation deficit and inappropriate adopting of executive regulations started to emerge in the (political and professional) public. Therefore, the Government of the Republic of Slovenia increased efforts to reform the public administration in order to improve its efficiency.

In this period, Slovenia prepared and adopted a series of policies, strategic programmes, operational programmes, regulations and reports in the area of environment and nature protection.

Along with the preparation of (environmental) programming documents, many basic acts were adopted in the area of environment protection, nature protection, energy and public administration. In the same period, an even larger number of by-laws regulating thematic areas of the three Conventions was adopted and the preparation of several key sectoral policies (energy, transport, rural development, agri-environmental programme, economic development strategy, tourism development) took place. These documents – some of them only at declarative level – assumed sustainable development principles. At the implementation level, however, these principles were given much less attention.

Programmes and regulations were prepared in conditions of limited timeframe and human resources. It is a question whether Slovenia has sufficient financial and human resources, adequate and efficient administration system – in other words, is there sufficient capacity and capability for implementation of all necessary activities. Such a situation is a logical consequence and an expected result of the »pre-accession« process.

In all cases of programme preparation, the preparation teams were faced with lack of internal staff capacities. Deficient knowledge of the state of and the processes within individual areas was also identified. Therefore, overviews of the state and estimates of trends and causes were prepared along with the preparation of (first) programming documents.

Personnel deficit in preparation teams (with an emphasis on public administration) required the engagement of external capacities - existing knowledge on issues was engaged through contracting scientific and research institutions, specialised companies and professional associations (non-governmental organisations). Without cooperation and involvement of external experts, the preparation of any overview as a basis for the preparation of policy and strategy in the area of environment and nature protection is extremely aggravated. This approach also clearly shows the need for increased possibilities for cooperation and involvement – not only in a form of public procurement.

At first sight, the hierarchical order or the position of policies, strategies and programmes appears to be clear. However, the relation between different documents and their implementation is vague. Planning is characterized by the lack of time-bound

and quantified goals – except in cases where these goals are defined in international agreements (such as Kyoto Protocol) or EU regulations. This also affects monitoring of the implementation of measures and evaluation of their efficiency and effectiveness.

There is often no feedback information on the evaluation results if it is carried out at all. Consequently, the procedures for adapting the implementation part to the goals are also rather vague if the policies and strategies include them at all. The finding of governmental institutions that (development) planning in Slovenia is difficult and that considerable deficiencies in six planning elements occur regularly is described in more detail as follows:

- preparation and role of individual planning documents at different levels,
- procedures for mutual harmonisation,
- procedures for implementing programmes and providing incentives for implementation projects,
- procedures for monitoring of policy implementation and reporting,
- procedures for modifications if deviations from actual scenarios are identified or if existing measures fail to give adequate results,
- methods for involvement civil society in procedures of preparation, implementation and monitoring of implementation of development documents.

Integration of environmental contents into sectoral policies is likely to be ensured through:

- taking into account environmental goals in course of preparation of sectoral policies in order to prepare efficient sectoral action programmes that also contribute to the achievement of environmental goals;
- regular monitoring of integration by using appropriate indicators on the basis of a common methodology for each sector, and reporting on the process of sectoral integration;
- integration of environmental criteria into financing programmes;
- establishment and implementation of a system of environmental impact assessments and strategic environmental assessment;
- taking into account programme goals in national strategic documents and future financial perspectives.

Integration of environmental policies is satisfactory since most of sectoral policies – at

least at declarative and principle level – includes sustainable development and environmental protection principles. However, it is necessary to ensure monitoring whether environmental or/and sustainable principles of sectoral policies are taken into account at the level of measure implementation.

In the recent period, many acts and regulations have been adopted in the Republic of Slovenia that regulate environment, water and nature protection as well as management of natural resources. Common assessment of all thematic profiles is that Slovenia has adopted almost all legal mechanisms to ensure implementation of the Conventions except in the case of land degradation, where no national policy guidance for conservation of soil fertility and soil biodiversity exists and some narrow areas (particularly monitoring) are not legally regulated.

The new Environment Protection Act introduced mandatory strategic environmental assessment (SEA), thus ensuring ex-ante evaluation of »plans, programmes, spatial and other documents« that can substantially affect the environment in their implementation phase. The SEA is carried out for all plans, programmes and policies that have important environmental impact. Among these are definitely all plans that foresee projects for which environmental impact assessment is required, plans in Natura 2000 areas, spatial documents and various sectoral programmes at local, regional and national level.

The Convention on Biological Diversity and the Framework Convention on Climate Change require introduction of the environmental impact assessment mechanism into the environment protection system. Slovenia introduced mandatory environmental impact assessments already in 1996. Until 2005, more than 550 EIA procedures have been carried out.

At the same time, assessment of »plans and documents« was introduced in Slovenia by the Nature Conservation Act. With it, impacts of planned activities on protected areas or on special protection areas are assessed and identified. Permitting interventions in natural areas was also introduced.

The public administration reform foresees the introduction of Regulatory Impact Analysis (RIA) procedure. RIA is a special procedure that requires from the officials who prepare the regulations to check in detail the effects of regulations, to consider alternative versions of regulations and to consider arguments of the target population (the one that will be affected by the regulation) before the regulation is adopted. The Regulatory Impact Analysis is intended to assess economic, social

and environmental impacts of regulations. The introduction of a special procedure of assessing regulatory impacts is targeting especially public administration that prepares regulations.

The characteristic of Slovenia is that it has very little environmental judicial practice (with an exception of spatial development) which can definitely be regarded as an indicator of (un)successful implementation.

2.2 Institutional authorisations and processes of participation and mediation among stakeholders

In the recent period, measures in the area of legislation and policies have substantially strengthened the institutions responsible for environment protection and nature protection activities. In acts and regulations, authorisations of various institutions (ministries, their departments/agencies/offices, authorised institutions, local communities) are clearly defined, however an assessment prevails in thematic profiles that the growth of these tasks, competences and authorisations is not followed by supporting measures in terms of human and financial resources.

Especially in the area of biodiversity, the system is almost complete although a special consultative body does not exist that would monitor activities, give initiatives, monitor and evaluate progress in this area. In the area of climate change, a consultative body exists (Slovenian Committee for climate change issues), which however is – in terms of personnel - very weak at the administrative level. There is also no specialised (public) institute for climate issues in Slovenia.

Again, the area of soil protection is the weakest. Due to its low political priority, 5 % of working time of one person is devoted to this area at the level of national coordinator (Ministry of Environment).

Weak institutional ways and procedures in Slovenia do not allow efficient and successful cooperation, interconnection and mediation of stakeholders. On the other hand, sectoral planning and implementation of measures is strongly present. Consultative bodies (Sustainable Development Council, Environment Protection Council, Slovenian Committee for climate change issues) are weak and their influence on decisions is very hard to estimate. When a certain inter-sectoral problem or an issue occurs, the ministries establish ad hoc inter-sectoral project groups.

This situation is also reflected in the structure of budgetary items which very rarely allows funds to be transferred outside formally determined boundaries. Inter-sectoral projects are a rarity, among other also

due to the rigidity of (public) budgetary financing of projects.

As a rule, representatives of the Ministry of Environment and Spatial Planning (MESP) are not involved in early phases of the preparation of policies, strategies and programmes in other sectors (mainly transport and agriculture). However, the opposite is also true: representatives of other sectors are not sufficiently and timely involved in the preparation of strategic documents prepared by the MESP. It is a common practice that potential disputes and disagreements are harmonised in the process of inter-sectoral negotiation which would have to be studied in more detail.

Participation of other stakeholders as an important factor of the fulfilment of obligations in three thematic areas is weak as well. Above all, these stakeholders come from scientific/research, non-governmental environment protection and nature protection organisations and local communities.

Economic associations (especially Chamber of Commerce of the RS) as special stakeholders are more intensely engaged in the preparation of programmes and regulations when compared with weaker stakeholders (e.g. NGOs). Participation of stakeholders does not depend only on formal conditions. It is crucially dependent on material conditions of their functioning. The weakness of one sector (e.g. non-governmental environmental organisations) can mean the advantage of others (e.g. Chamber of Commerce) in defending their interests.

Processes and procedures of participation – except in different consulting and consultancy bodies for which participation of non-institutional stakeholders is legally required – are not formalised and are carried out according to the will of individual decision makers. This is especially true at the level of preparation of various political and strategic documents, implementation of regulations and assessment of efficiency and effectiveness of the implementation.

This deficiency which is also evident outside the framework of the three Conventions has been identified several times by the civil society organisations. Demands for legal regulation of public participation in the processes of preparation of acts, regulations and programmes could be identified already in mid-90s. Demands especially increased after 2002 when a “civil dialogue” process was initiated in Slovenia. At the same time, formalisation of the »right(s) of citizens and civil society to participate in adoption of regulations« was foreseen by the Government in the Strategy of further development of the Slovenian public sector as one of the three pillars of »open administration«.

An important milestone in access to information is

represented by the Act on Access to Information of Public Character, adopted in February 2003, which is based on the Constitution of the Republic of Slovenia. According to the act, state institutions are obliged (among other) to publish on the World Web: (1) consolidated texts of regulations related to the working area of an agency, linked to the National Register of Regulations on the Web; (2) programmes, strategies, views, opinions, studies and other similar documents related to the working area of an agency; (3) proposals of regulations, programmes, strategies and other similar documents related to the working area of an agency.

In 2004, the Aarhus Convention was ratified which enables additional strengthening in the area of public participation.

2.3 Handling of information, monitoring and observation

In all three areas the authors of thematic profiles identified deficient monitoring (the least in the area of climate change, i.e. release of greenhouse gases). This is the consequence of:

- insufficient intensity of the existing monitoring system,
- deficiencies of existing monitoring (insufficient implementation or limited extent of content covering),
- non-existence of legal bases or political will for implementation of monitoring, and
- non-implementation of acts and by-laws.

Findings in the area of biodiversity are as follows:

- monitoring was carried out only in limited extent, mostly due to very limited financial resources,
- inventorisations of species and ecosystems was carried out in limited extent (mapping of habitat types) while monitoring on species, ecosystem and genetic levels was virtually non-existent (with an exception of several species),
- systemic bases for monitoring have been adopted, however the manner and the extent of monitoring have not been defined yet.

The situation in the area of soil is similar. Slovenia has no regulation on monitoring of soil quality at the national level, which is stipulated in Article 97 of the Environment Protection Act, therefore regular monitoring of soil is not carried out yet. The proposed NEAP foresees a national soil pollution survey and the establishment of a national soil monitoring system.

Management and handling of different data collections is often dispersed and disordered which decreases the possibilities of their integration. Consequently it means hindered access to available data sequences for timely and informed decision-making in the area of environmental management.

2.4 Awareness raising, education and exchange of information

Awareness raising and education of the public is more or less limited to occasional and spontaneous activities that originate in various projects. There is a lack of integrated, inter-sectoral cooperation in preparation of awareness raising and education activities that would overcome sectoral view of the problems.

Awareness raising and education in and between institutions is also insufficiently regulated which is reflected in sectoral (disciplinary) approach. There is a considerable deficiency in the area of education of local communities (municipalities) and their contractors although they are among key factors for implementation of the content covered by all the three Conventions.

It is especially important to point out the prevailing opinion that the presence of environmental and nature protection contents in primary and secondary schools and universities is far too modest. Besides, what remains after the reform of education programmes is too dispersed.

In the past period, access to information on the state of and changes in the environment has improved considerably. Increasing number of materials, publications, programmes and legislation is available on the World Wide Web. Clearinghouse mechanisms in the areas of biodiversity and biosafety have been established.

In 2004, Slovenia became a donor in the international system – it is a developed country which brings along also responsibilities to the situation in less developed areas of the world. All the three Conventions foresee information exchange in order to help these countries prepare and implement measures to limit and prevent negative impacts and effects on global processes. Information exchange also means scientific and professional cooperation with developing countries. Slovenia has no programme through which it could transfer its experience, knowledge and technological solutions to these countries. Therefore, the Government of the RS decided that in the future it has to intensify its involvement in activities and projects of international development and humanitarian aid at bilateral level as well as through the EU and the UN mechanisms and within other international organisations and forums where Slovenia is a member or wishes to become

one (OECD). As a full member of the EU, Slovenia has to increase funds for official development aid according to its assumed obligations and in this way contribute its share to the implementation of the UN Millennium Development Goals and to the decrease of differences between developed and developing countries.

The Ministry of Foreign Affairs coordinates activities of Slovenian development cooperation and humanitarian aid. Its task is to prepare professional and normative bases for the implementation of development cooperation and humanitarian aid system. Institutional framework to support Slovenian development aid has to be based on the models used in comparable donor countries and has to ensure medium-term achievement of adequate compatibility with the principles of the Organisation for Economic Co-operation and Development (OECD), the Development Aid Committee (DAC) and with common practice in other EU countries. In the first phase of establishing a development cooperation system, an inter-sectoral working group for coordination of international cooperation and humanitarian aid was appointed in December 2002. The Government of the RS also plans to adopt a special act on international development cooperation of the Republic of Slovenia.

2.5 Engaging of science to support decision-making

Slovenia is a country with limited human and financial resources which is most evident in the use of knowledge potential. Although the situation in the area of integration of existing knowledge in the preparation of analyses of the state in different areas is not alerting (in the majority of projects, scientists and experts outside public administration are involved), it is a general opinion that (domestic) science is neglected. Much more important than this opinion are obstacles to wider integration of knowledge and experience into planning, managing, monitoring and evaluation of processes in nature and in the environment. These obstacles are primarily demonstrated as limited financial resources and insufficient use of the existing research programmes.

Financial resources available to the scientific-research sector and non-governmental organisations are dispersed, small and are not interlinked.

The Government of the Republic of Slovenia finances research programmes through the Slovenian Research Agency (SRA). SRA carries out professional, development and executive tasks related to implementation of the adopted National Research and Development Programme within the budgetary memorandum in force and the national budget as well as other tasks of promoting research activities.

Research programmes represent public service in the area of research activity. It is a comprehensive area of research expected to be up-to-date and useful in a longer timeframe. It is of such importance for Slovenia that national interest exists – defined in the National research and Development Programme – for long-term research by the programme group in this area.

Targeted research projects (TRP) are a special form of a scientific/research programme with which the MESP along with other sectors and other project users contributes to shaping and implementing national strategic goals and at the level of the Ministry to implementation of basic long-term documents. TRP has been designed as a research/development networking between related areas (balanced regional and spatial development and development role of the environment) on one side and research institutions and government sectors on the other side. In 2005, the TRP is oriented in environment protection research, more precisely in the areas of monitoring of forest ecosystems, monitoring of soil and pollution with pesticides. At the same time, these projects are not only in line with the national framework of environment protection but also fall within the adoption of the *Acquis Communautaire*.

From SRA reports it is difficult to obtain information on the share of financed research programmes and projects and targeted research projects in the three areas.

Synthetic (interdisciplinary) projects are a rarity. However it has to be pointed out that there are no clearly defined scientific/research contents that would have to be carried out to support implementation of the three Conventions.

2.6 Financial resources and transfer of technologies, incentives and market mechanisms

In recent years, the Republic of Slovenia introduced a series of environmental levies and taxes through which it enforces the »polluter pays« principle. Their introduction is gaining importance due to the increasingly restrictive monetary and fiscal policy. The Environment Protection Act stipulates that polluters have to cover all expenses of prescribed measures to reduce pollution and environmental risk, use of the environment and elimination of environmental pollution effects.

The purpose of introducing these financial instruments is to increase the efficiency of actions carried out by physical and legal entities in the environment and sustainable use of natural goods. Economic instruments ensure integration of environmental costs into business costs of

individual economic subjects, while at the same time they can be appropriate motivation for reducing pollution or integration of economic and environment protection policies. So far, the following environmental taxes and levies have been introduced in Slovenia: tax on environmental pollution caused by waste water discharge, water use charges, tax on pollution of air with emissions of carbon dioxide, tax on environmental pollution caused by waste disposal, tax on environmental pollution caused by generation of end-of-life vehicles, tax on environmental pollution caused by the use of lubrication oils and fluids.

The Environment Protection Act introduces project-oriented mechanisms to achieve reductions of greenhouse gas emissions in the most cost-efficient manner. Therefore, in 2005 trade with rights to emit greenhouse gases is being introduced and legal basis is set to stimulate joint investments in projects of reducing environmental pollution.

The proposal of NEAP to implement key action plans in the area of reducing the effects of drought, monitoring, biodiversity and promotion of efficient energy use foresees considerable costs (over 7 billion SIT annually). Currently, almost all funds for the implementation of measures come from public sources. There is no data available on expenditure of local communities for these activities, except for waste-water treatment and waste management.

Environmental Development Fund of the Republic of Slovenia is an additional source of funds in a form of favourable loans. Particularly, it credits measures to increase energy efficiency in companies as well as in households.

In the past period, the Republic of Slovenia did not dedicate much attention to introduction of environmental criteria in public procurement as a market mechanism of environment protection (green procurement). In 2005, the MESP gave this area high priority.

2.7 Harmonising and networking with local communities

Local self-governance (city municipalities, municipalities) and state administration (government and governmental institutions) represent key actors of environment protection in the Republic of Slovenia. Municipalities provide balance between quality of living and economic development at the local level. From the strategic point of view, municipalities are extremely important for nature and environment protection (e.g. establishment and management of protected areas, promotion and implementation of measures to increase energy efficiency, soil protection).

According to the Nature Protection Act, municipalities can adopt local environment protection policy which has to be reconciled with national policies. This was carried out by a very small number of municipalities (mostly city municipalities). Municipalities can also prepare appropriate local regulations, carry out environmental monitoring, introduce environmental taxes or provide incentives for the entities that reduce environmental pollution with their measures.

Capacity of municipalities in the area of environment and nature protection are very limited in terms of financial and human resources. The majority of municipalities is focused in providing public utility services (access to drinking water, collection and disposal of waste, transport) and are not getting involved in more complex issues (e.g. management of protected areas).

In 2000, the National Agency for Regional Development (NARD) was established. The NARD is an implementing institution of the national development policy responsible for the allocation of direct regional incentives. The NARD is a crucial link between national, regional and local organisations and EU institutions.

2.8 Management and efficiency of institutions

The area of management of institutions and their efficiency is relatively unstudied. Although most of the required institutions exist at the systemic level, no qualitative assessment exists on their management and effectiveness. Therefore, it is difficult to estimate the capacities at the level of institutions, except a general estimate about limited human and financial resources. Generally in the Republic of Slovenia the area of self-assessment of institutions' capacities and employees is poorly developed. Only recently assessing and evaluating of internal functioning of public institutions is being introduced due to the need for providing capacities for the implementation of tasks related to EU membership and public administration reform.

The needs for capacity building, especially in the area of employment policy and staff management at all levels (monitoring of their efficiency and reduction of the »idle time«) have been identified. Taking action in this direction should be complemented by internal evaluations of accomplished projects or processes in order to learn from experience and enhance analytical skills and tools at individual level.

In past years, quality assurance (ISO) models have predominantly been introduced while in recent

years the Common Assessment Framework (CAF) is being introduced for organisations in the public sector. With the use of such self-assessment model it would be possible to thoroughly assess the situation in implementing organisations and to identify improvement possibilities. Self-assessments originates in the principle that people who work in the organisation have the best knowledge of it; however, this knowledge is rarely used and shared. Through self-assessment, CAF enables or ensures:

- assessment based on evidence,
- achievement of consistent guidance and consensus regarding what has to be done to improve an organisation,
- assessment according to set criteria which are widely accepted in Europe,
- with periodical self-assessment we measure our progress through time,
- link between objectives and supporting strategies and processes,
- focusing of improvement activities on areas where they are the most needed,
- progress and exchange of good practice between various departments within an organisation and with other organisations,
- creating enthusiasm among employees with their involvement in the improvement process,
- opportunity to recognise progress and exceptional achievements,
- integration of various quality initiatives into regular operation.

Implementation of the assessment of (administrative) stakeholders in the area of environment and nature protection with the use of CAF approach would definitely contribute to higher efficiency of their work. No data exists on whether any of administrative stakeholders has carried out a self-assessment.

2.9 Individual skills and motivation

In thematic profiles, the area of individual knowledge, skills and motivation of employees was covered in a form of analysis of the results of workshops (matrices). Capacities and needs at the level of individuals can be estimated only generally, i.e. awareness exists regarding the lack of certain skills and knowledge.

According to participants of workshops, lack of knowledge (and human resources) is present in the following areas which happen to be cross-cutting:

- process management,
- communication,
- environmental economics,
- environmental law,

- management of consultative procedures,
- negotiating,
- education and providing information.

2.10 Participation in international negotiations and reporting

Slovenia regularly participates in international negotiations of the Parties to the Framework Convention on Climate Change and the Convention on Biological Diversity while it does not attend meetings of the Convention to Combat Desertification. Primarily national coordinators for the mentioned Conventions attend meetings of the Parties.

A comprehensive analysis of Slovenian contribution at these negotiations would be required. Namely, active participation depends on standpoints agreed at the national level which enable a representative to enter negotiations. An even higher priority should be given to a pro-active role of the country in international negotiations (in a sense of giving proposals and initiatives).

Slovenia regularly reports on the processes and measures for implementation of biodiversity and climate change Conventions.



3. Capacity needs and opportunities for synergistic approaches

Self-assessment of capacity needs was based on the analysis of:

- drafts of thematic profiles for the selected areas (CBD, FCCC, CCD),
- reports on implementation of the Conventions, state of the environment, budgetary expenses, activities of agencies,
- adopted or prepared strategic and programming documents,
- workshop results,
- capacity needs matrices, and
- interviews with national coordinators and discussions with participants of the events prepared within the NCSA project.

The assessment preparation was based on UNDP methodological instructions, guidelines of the Steering Committee and the Project Group.

Capacity needs were identified with regard to key functions needed for meeting the requirements of the Conventions and implementation of national measures:

- designing and creation of policies, laws, strategies and programmes,
- implementation of policies, laws, strategies and programmes,
- involvement and consensus building among all stakeholders,
- mobilisation of knowledge and information,
- monitoring, evaluation, reporting and learning.

The capacity needs were identified at:

- systemic,
- institutional, and
- individual level.

Based on preliminary analysis of workshop results by individual areas, a list of measures to build capacity in cross-cutting areas was prepared. The measures were presented at a cross-cutting issues workshop where participants supplemented them with two additional measures. The purpose of preliminary identification of measures was to give the participants a logical framework for identification of capacity needs.

Table 2: An overview of identified capacity needs:

Designing and creation of policies, laws, strategies and programmes	
Level	Needs
Systemic level	<ul style="list-style-type: none"> • Integration of sustainable development principles into national strategic documents (especially National Development Strategy and National Development Programme; • Making arrangements for effective and efficient planning at different levels; • Integration of environmental issues into implementation documents at the national level; • Introduction of soft instruments of inter-sectoral cooperation (agreements, etc.); • Making arrangements for effective and efficient development aid to developing countries.
	<ul style="list-style-type: none"> • Creating systemic possibilities for inter-sectoral cooperation; • Education of decision makers to increase their sensibility for problems related to nature conservation and environment protection;
	<ul style="list-style-type: none"> • Reinforcement of existing consultative bodies; • Appointment of national consultative bodies in the areas of biodiversity and soil protection; • Operationalisation of the Slovenian Council for Sustainable Development.

Individual level	<ul style="list-style-type: none"> • Education of staff for preparation of strategic documents; • Training for enhancing negotiation capacities; • Education of staff in other sectors on the content of the three Conventions with an emphasis on synergies and »sectoral« effects.
	Implementation of policies, laws, strategies and programmes
	Level Needs
Systemic level	<ul style="list-style-type: none"> • Monitoring of implementation of programmes and regulations in order to overcome competence disputes and deficient implementation; • Development of performance indicators for implementation of programmes and regulations to enable measuring of (non)effectiveness or (non)efficiency in order to overcome the existing situation; • Enabling a successful »civil dialogue«; • Diversification of financial resources for implementation and support activities; • Active detection of staff needs in implementing institutions and preparation of education and training programme for human resources; • Ensuring targeted disbursement of funds collected through environmental taxes and levies.
Institutional level	<ul style="list-style-type: none"> • Reinforcing inter-sectoral cooperation in priority areas; • Autonomy and reinforcement of control and inspection authorities; • Carrying out self-assessment in implementing institutions according to the »Common Assessment Framework« method; • Promoting partnership with local and national stakeholders.
Individual level	<ul style="list-style-type: none"> • Motivation of individuals to achieve goals.
Involvement and consensus building among all stakeholders	
Level	Needs
Systemic level	<ul style="list-style-type: none"> • Regulation of consultation with different stakeholders during the preparation of strategic and legislative proposals through the Consultation Act; • Elimination of uncertainties related to strategic environmental assessment procedure (content of environmental report, methodological instructions, etc.); • Preliminary assessment of suitability and feasibility of regulations and preliminary assessment of their impacts (RIA); • Regulation of a status of organisation in public interest to reinforce legal security; • Providing special financial resources to enable/facilitate participation of the public and non-governmental organisations; • Consistent implementation of the Aarhus Convention.
Institutional level	<ul style="list-style-type: none"> • Ensure transparency of functioning of preparatory and/or implementing institutions; • Monitoring and assessment of consultative processes; • Reinforcement of local partnerships and development funds; • Definition of procedures for pro-active providing of access to data and information.
Individual level	<ul style="list-style-type: none"> • Training for preparation and implementation of consultative processes; • Training for communication with the public.

Mobilisation of knowledge and information	
Level	Needs
Systemic level	<ul style="list-style-type: none"> • Creating programmes to support inter-thematic research activities; • Enable access to additional financial resources (public, private); • Establishment of a complementary information exchange model.
Institutional level	<ul style="list-style-type: none"> • Inter-sectoral development and definition of priority groups or cross-cutting research contents; • Linking of strategic partners (economy, local communities, state); • Preparation of inter-thematic education programmes for different stakeholders.
Individual level	<ul style="list-style-type: none"> • Decrease of human resources deficit in the areas of environmental economics and environmental law.
Monitoring, evaluating, reporting and learning	
Level	Needs
Systemic level	<ul style="list-style-type: none"> • Identification and establishment of lacking monitoring programmes; • Methodologies for programme planning and monitoring of implementation of measures and tasks; • Identification of synergistic potentials in the existing system of monitoring of the state of the environment and nature.
Institutional level	<ul style="list-style-type: none"> • Establishment of cooperation between holders/providers of monitoring; • Definition of models/modes for information exchange; • Establishment of cooperation and exchange of experience with comparable countries in the area of environmental monitoring.
Individual level	<ul style="list-style-type: none"> • Training for monitoring implementation.

The identified capacity building needs of the Republic of Slovenia in the cross-cutting area of the three global conventions are a starting point for the preparation of an action plan. In the future, it is important that the preparation of an action plan is carried out by relevant ministries. Action has to be taken especially in the areas of reaching the consensus about priority issues, improvement of a system of monitoring and evaluation of measure implementation, horizontal and vertical cooperation, integration of financial and human resources and active involvement of stakeholders.

