**Mandate of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment**

**Call for Inputs**

**Healthy Ecosystems and Human Rights: Sustaining the Foundations of Life**

“Goals for conserving and sustainably using nature and achieving sustainability cannot be met by current trajectories, and goals for 2030 and beyond may only be achieved through transformative changes across economic, social, political and technological factors.”

*Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. 2019. “Summary for policymakers of the global assessment report on biodiversity and ecosystem services.”*

There is now global agreement that human rights norms apply to a broad spectrum of environmental issues, including biological diversity (the full range of life on Earth) and healthy ecosystems (the foundation upon which all life depends). The Special Rapporteur on human rights and the environment, Dr. David Boyd, is working to provide additional clarity regarding the substantive rights and obligations that are essential to the enjoyment of a safe, clean, healthy and sustainable environment. He has submitted reports on clean air,[[1]](#footnote-1) a safe climate,[[2]](#footnote-2) and good practices on the promotion and implementation of the right to a safe, clean, healthy and sustainable environment.[[3]](#footnote-3) He is now preparing a thematic report focusing on human rights and associated obligations related to healthy biodiversity and ecosystems. For that purpose, he is seeking inputs on the topic from States and stakeholders through responses to the brief questionnaire below.

Your replies will inform the Special Rapporteur’s analysis and contribute to his report, which will be presented to the General Assembly in October 2020.

**Questionnaire**

The Special Rapporteur invites and welcomes your answers to the following questions:

1. Please provide examples of ways in which declining biodiversity and degraded ecosystems are already having adverse impacts on human rights. Adversely affected rights could include, among others, the rights to life, health, water, food, culture, non-discrimination, a safe, clean, healthy and sustainable environment, and Indigenous rights.

Comparatively, the human rights listed above are generally well respected in Slovenia. Impacts on rights of indigenous people in its stricter sense are not relevant to Slovenia since there are no indigenous communities. In principle, all natural persons and legal entities, including the local communities can participate in the adoption and implementation of biodiversity measures. At the local level, these can be bodies responsible for a public service or other bodies that exercise public powers.

In some cases in practice, Slovenia confirms the awareness that biodiversity conservation and consequently the conservation of ecosystem services is crucial for its social and economic development. The awareness that healthy ecosystems bring benefits to people rose in Slovenia, at both the local and state levels. In general, these benefits are a stronger economy, sustainable livelihoods and positive impacts on people's health. Nevertheless, in some instances decisions are still enforced by law instead of being made based on decision-makers' awareness of the importance of biodiversity and ecosystem services.

As an example of good practice, we can emphasize the right to drinking water that was adopted as an amendment to Constitution (new Article 70.a) in 2016. This amendment stipulates that everyone has the right to drinking water and that water resources are a public good managed by the state and that they serve as a priority and sustainable supply of drinking water and water for households which can’t be considered as marketable goods.

In Slovenia, like elsewhere, the examples of biodiversity benefits can be seen, for instance when genetic resources are used directly, e.g. in development of pharmaceuticals, and the establishment and maintenance of genetic banks for agriculture, forestry and industry. Another large group of values related to biodiversity are the indirect values provided by ecosystem services. The preservation and maintenance of areas including forests, grasslands and aquatic systems contribute to the continuous provision of ecosystem services. The value of these services is immeasurable, as without them, there is no life. However, we can assess their economic value if we calculate how much it would cost to replace them with substitutes that we ourselves would make. It is hard to show the relationship between ecosystem services and biodiversity. However, we can nevertheless claim that biodiversity in Slovenia is underrated, as we continue with spatial uses and development that reduce biodiversity. At the local level, the loss of biodiversity can be measured by the loss of the natural environment. If the lost natural environment was a wetland, the result could be more frequent and severe floods. Various anti-flood measures are used to solve this problem that often further degrade the environment and are very expensive. An important aspect in biodiversity valuation is the use of nature for recreation and aesthetic enjoyment. It is extremely valuable for people's quality of life. In Slovenia, people enjoy nature for trekking, gathering plants and mushrooms, cycling, running, fishing, photography, etc. Recreation in a natural environment maintains and improves people's health, which reduces the cost of healthcare.

Ecosystem goods in Slovenia include plant and animal species important for food and agriculture, water, wood, etc., while ecosystem services include the purification of water and air, the natural recycling of waste, soil formation, pollination and regulatory mechanisms that control climatic conditions (e.g. precipitation and consequently floods) and populations of organisms. It might be imperceptible at first, but every activity resulting in reduced biodiversity has far-reaching consequences for ecosystem services. Although in some circles in Slovenia the conviction that biodiversity is important for ecosystem services and therefore for human well-being is strengthening, the awareness of decision-makers does not always follow this.

There are many examples of good practice in Slovenia showing the importance of ecosystem services for human welfare and social and economic development. For instance, the importance of some wetlands for the development of tourism should be highlighted. On two Ramsar sites in Slovenia a certain level of tourist activity is achieved with appropriate management. The provision of good tourist practices in wetlands and surrounding areas and raising the awareness of visitors regarding the importance of wetlands can contribute to their favourable status. Studies of ecosystem services conducted on these sites showed positive results and it must be emphasised that tourism is only one of the ecosystem services provided by wetlands.

2. To protect a wide range of human rights, what are the specific obligations of States and responsibilities of businesses in terms of addressing the main direct drivers of harm to biodiversity and ecosystems (e.g. land conversion, loss and degradation of habitat, climate change, overexploitation, pollution, invasive species) and the indirect drivers (unsustainable production and consumption, rapid human population growth, trade, conflict and inequality)?

At the level of the European Union, of which Slovenia is a member, the understanding of the importance of healthy ecosystems is increasing. It became evident that policy-makers are changing their perspective and are integrating the ecosystem approach in some sectoral policies. For example, the use of pesticides in agriculture is being revised to improve the status of pollinators; the EU rural development policy provides aid for farmers who sign up to environmental commitments, etc. The new EU Biodiversity Strategy by 2030 stipulates that in all of its work, the EU will strengthen the links between biodiversity protection and human rights, gender, health, education, conflict sensitivity, the rights-based approach, land tenure and the role of indigenous peoples and local communities.

Slovenia is committed to implement the EU Biodiversity Strategy, the Global Strategic Plan for Biodiversity with its 20 Aichi Biodiversity Targets and the forthcoming post-2020 targets through the National Nature Conservation Program and its Biodiversity Strategic Plan by 2030 (see: ReNPVO20-30).

Regarding demographic growth, we could emphasize that it does not threaten biodiversity in Slovenia, unlike in some other places in the world, as demographic forecasts for Slovenia are unfavourable (i.e. the population over 65 years of age is increasing). Nevertheless, it can be expected that the pressures on the natural environment will continue to increase and the conservation status of plant and animal species will decline in relation to the decrease in ecosystem diversity.

3. Please provide specific examples of constitutional provisions, legislation, regulations, policies, programs or other measures that employ a rights-based approach to prevent, reduce, or eliminate harm to biodiversity and ecosystems or to restore and rehabilitate biodiversity and ecosystems.

In Slovenia, biodiversity is included in basic national and various sectoral strategies, plans and programmes. The integration of environmental requirements in all policies and activities is essential for the enforcement and promotion of sustainable development. Nature conservation planning in Slovenia is carried out through the **National Nature Protection Programme.** The National Assembly has adopted the new Programme for the period 2020 – 2030 (ReNPVO20-30) on 13 March 2020. It defines operational programmes that contribute to the achievement of biodiversity conservation objectives, i.e. the Operational Programme for Biodiversity Conservation with the Natura 2000 Site Management Programme, the Strategy for the Management of Populations of Large Carnivores, and the Strategy for the Management of Non-native Invasive Species. Slovenia also fulfilled the obligation to draw up a **National Biodiversity Strategy an Action Plan** with the adoption of ReNPVO20-30. This document determines a set of specific objectives and directions for the coordinated implementation of measures facilitating the achievement of the three main CBD goals. The **Natura 2000 Site Management Programme** is another key document for biodiversity conservation, owing to the large share of Natura 2000 sites (more than 37% of Slovenia's territory). **Slovenia's Development Strategy by 2030** is a fundamental national strategic document, which states that all changes in the economy and society will be directed towards increasing the well-being of generations, taking into account environmental restrictions and human health considerations. The **National Reform Programme (NRP)** is the Government's medium-term plan of priority measures and projects focused on achieving the objectives of the Europe 2020 strategy. It states that the preservation of a high level of biodiversity and vital ecosystems would be ensured through the effective management of existing protected areas and the accelerated implementation of measures intended to maintain the Natura 2000 network. The **Rural Development Programme** is a strategic document under which agri-environmental measures are implemented, whose objectives are to establish the concept of sustainable agriculture and preserve natural resources and biodiversity. As stated in the **Strategy for Implementing the Resolution on the Slovenian Agriculture and Food Industry Strategic Guidelines up to 2020**, the green component is implemented within direct payments under the reformed Common Agricultural Policy, which includes obligatory agricultural practices with a favourable impact on climate and the environment. In the **Operational Programme for the Implementation of the EU Cohesion Policy 2014–2020**, a special priority on investment is dedicated to the protection and restoration of biodiversity and soil and the promotion of ecosystem services.

At the sectoral level, biodiversity is integrated in all key support activities. **Forest management** ensures multi-purpose sustainable forest management in accordance with the protection of the environment and natural assets and the monitoring of the status of forests as ecosystems. **Wild animal management** ensures the ecological, social and economic functions of wild animals and their habitat by covering the planning, conservation, sustainable management and monitoring of wild animals. In Slovenia, **fishing** is carried out in the sea and inland waters, but commercial fishing is only carried out in the sea. The strategic vision of the **fisheries sector** is to achieve sustainable development of the sector in which the fishing effort (e.g. the capacity of the fishing fleet) will be in accordance with the resources available. Its objective is also to achieve competitive and environmentally friendly fish farming. The drawing-up and adoption of the **Water Management Plan** was the first implementation of an integrated approach to the analysis of issues related to the achievement of environmental objectives and water use and management objectives. Among Slovenia’s, key long-term aims included in the **National Programme of Reforms for the Implementation of the Lisbon Strategy** are halting the loss of biodiversity and ensuring the sustainable use of its components. The programme acknowledges the importance of biodiversity as an economic and developmental advantage and opportunity. Slovenian **industrial policy** states that the planning of industrial development has to take into account that natural resources are limited. The **vision of tourism development in Slovenia** is based on sustainable development. It envisages raising public awareness of the importance of biodiversity protection and nature conservation, and promotion of the development of sustainable tourism. The activities envisioned in the Slovenian **energy sector** are directed towards the establishment of conditions for the transition to a low-carbon society. The National Action Plan for Renewable Energy Sources by 2030 requires Slovenia to achieve at least 25% of renewable energy sources in the final gross energy consumption. In implementing the measures, the biodiversity conservation goals are also taken into account. The common objective of the **programme for transport development** in Slovenia is to ensure conditions for the growth of sustainable mobility that also include nature and biodiversity conservation. It is mandatory to take into account the components of the nature protection programme in **spatial planning** and in the use of natural assets, as the National Nature Protection Programme and National Spatial Plan must be coordinated. A [comprehensive environmental impact assessment](http://www.mko.gov.si/si/delovna_podrocja/presoje_vplivov_na_okolje/celovita_presoja_vplivov_na_okolje/) must be made for plans and activities that could have a significant impact on the environment and for plans with transboundary impact a [transboundary environmental impact assessment](http://www.mko.gov.si/si/delovna_podrocja/presoje_vplivov_na_okolje/cezmejna_presoja_vplivov_na_okolje/).

4. If your State is one of the 156 UN Member States that recognizes the right to a safe, clean, healthy and sustainable environment,[[4]](#footnote-4) has this right contributed to protecting, conserving and restoring biodiversity and healthy ecosystems? If so, how? If not, why not?

There are numerous examples of good practice in Slovenia that have been implemented through time and although additional efforts have to be made in some areas, in general, we can assess the overall situation as positive.

As one of examples of good practice in right to a safe, clean, healthy and sustainable environment, we can emphasize the **energy sanation of public buildings and housing** which has a number of multiple effects in Slovenia, such as: cost reduction, better quality of life and job creation with the revival of the construction sector and the timber industry. The Government of the Republic of Slovenia adopted an **Action Plan to increase the competitiveness of the forest-wood chain until 2020** "Wood is Beautiful", which aims at creating a market for timber products and services, improving the sustainable management of forests, increasing the amount and processing of timber with new technologies, creating new jobs and increasing the added value per employee in the wood processing industry.

Slovenia accounts for the share of separately collected waste among the most successful European countries. Good practices in this field exist in both municipalities and companies. The **"Zero Waste Concept"**, which aims at abandoning all types of waste as a way of achieving more sustainable living, economic stability and social cohesion, is also being implemented. More and more Slovenian municipalities are participating in the European Zero Waste Network. In Slovenia, the public sector is a big and important consumer. Integrating environmental criteria into its purchasing decisions is recognized as a key mechanism for promoting sustainable production and consumption, while creating significant public savings. In 2018, the Government of the Republic of Slovenia adopted the updated **Regulation on Green Public Procurement**. Good practices and pilot cases represent an important part of the support to Green Public Procurement from public and providers.

As elsewhere, in Slovenia organic farming is the most sustainable agricultural practice that fully responds to key challenges of modern agriculture. It has less negative impact on the environment and provides a high level of public goods and a range of positive effects on social well-being. It is based on improving or at least preserving soil fertility and biodiversity. It also has a positive impact on the development of rural areas as it creates more jobs than conventional agriculture in the production itself, as well as in complementary activities on the farm, in particular in food processing, marketing and tourism. Organic agriculture in Slovenia also contributes to the increase of interest in locally produced foods and consequently to shorter food supply chains. Market interest and the benefit of high quality organic foods in Slovenia are constantly increasing. Theyhave a higher nutritional value and less harmful effects on human health, for which buyers are willing to pay a higher price. The gap between demand and only 20% of Slovenia's share of eco-food consumption is an important business opportunity at the national level. **The Rural Development Program 2014-2020**, with the **Agri-environment and Climate Program**, also includes the objectives of mitigation of climate change caused by agriculture and the adaptation of agriculture to climate change. Organic farming has become an independent measure in the Rural Development Program, which is recognition of the overall contribution of this farming method to the protection of the environment and climate. Market cooperation between organic producers has intensified, which further strengthens the positive environmental impact. In Slovenia, about 150 schools and kindergartens supply their own school ecological gardens, thus promoting lifestyle changes and dietary habits.

Local communities play an important role in reducing greenhouse gas emissions in Slovenia. Electricity and heating for municipal buildings, municipal vehicle fleet and street lighting are areas where municipalities have full control and can independently introduce measures to increase energy efficiency and the use of energy from renewable sources. They also have advantage to promote green tourism and forest-wood chains and supply with local organic food. Many municipalities are making great strides, recognizing the synergistic benefits of public fiscal savings, business opportunities and high-quality jobs, increased self-sufficiency and improved living standards for citizens. The number of municipalities with a comprehensive sustainable development strategy and good practices of sustainable rural development is increasing. The Association of Municipalities of Slovenia is very active in promotion of such practices.

5. Please provide specific examples of good practices in preventing, reducing, or eliminating harm to biodiversity and ecosystems, or restoring and rehabilitating biodiversity and ecosystems. These examples may occur at the international, national, sub-national, or local level. Where possible, please provide evidence related to the implementation, enforcement, and effectiveness of the good practices (e.g. measurable outcomes such as increases in terrestrial and marine protected areas, increases in Indigenous and Community Conserved Areas, declining rates of deforestation and poaching, or progress in the recovery of species that were previously threatened or endangered).

Numerous measures and activities has been carried out in in Slovenia that directly or indirectly contributed to biodiversity conservation. The objectives that were followed best were those related to the implementation of the EU legislation. Legislative and organisational framework for nature protection is fully established in Slovenia, and regulations on sustainable use are amended. However, difficulties occurr at the implementation level since compliance with regulations is often not complete.

In 2004, Slovenia established **the network of Natura 2000 sites**, which following a slight increase in 2013 now covers 37% of the country's territory. This is an important achievement in nature conservation and contributed to the greater inclusion of nature protection considerations in spatial planning and planning the use of natural resources. The Natura 2000 Site Management Programme requires individual sectors to carry out management measures according to their responsibilities.

In recent years, a great deal has been done with regard to the management of large carnivore populations. Strategies and action plans for bear, wolf, and lynx have been drawn up. Some of the negative impacts of **agriculture** on biodiversity have been reduced recently, particularly in relation to the reduced input of fertilisers and phyto-pharmaceuticals. The implementation of measures for the preservation of native breeds and varieties is positive, as the situation has improved. The implementation of measures in **forestry** is generally good, which is reflected in the relatively favourable conservation status of the majority of forest habitats and species. In **fisheries,** gradual progress has been noted, particularly in the past five years, in the inclusion of biodiversity conservation objectives at the level of regulations and sectoral policies. The inclusion of nature protection aims and measures in plans concerning hunting has improved and data show that the status of species defined as game is favourable. The integration of biodiversity conservation in **water management,** **industry, energy and transport** is not yet satisfactory and there are many difficulties in practice. Despite some measures for improving energy efficiency, energy consumption is still on the rise. At the level of **tourism** policy, Slovenia’s well-preserved nature is often highlighted as a comparative advantage. However, this has not been significantly reflected in specific policies and activities. In **spatial planning**, pressures are continuing in the areas of great importance for biodiversity conservation. The situation in **monitoring** has improved, but it is focused solely on the status of important European species. With regard to nature protection data, an effective online nature protection atlas has been set up that allows the public to access data on areas important for nature protection. Slovenia has not yet developed a national programme for biodiversity **research**. The lack of directed action in research is also reflected in modest support for biodiversity research projects. Goals concerning **awareness-raising and communication** still have to be achieved, as activities are dispersed and mostly conducted at the project level, which does not guarantee their continuity. Improvements were made in **education** particularly in terciar education, as the number of nature protection programmes has increased and they are available in all study cycles.

6. Please identify specific gaps, challenges and barriers that your government, business, or organization has faced in attempting to employ a rights-based approach to preventing, reducing, or eliminating harm to biodiversity and ecosystems.

There are often difficulties in the achievement of biodiversity goals, as implementing measures are not planned appropriately or the adopted measures or are implemented poorly. Efforts should be made to improve decision makers’ understanding of the complex linkages between biodiversity, ecosystem services and human health and well-being through more integrated policies and implementation. More attention should be devoted to cooperation with the representatives of various sectors, the academia and NGO community. As most other countries, Slovenia is facing similar challenges connected to infrastructure and biodiversity and increased demand for the construction of new infrastructure is expected – from transport, energy to urban and waste management. Due to long-term orientation to assure “in situ” conservation of its biodiversity, the particular challenge for Slovenia is effective implementation of all conservation measures on the ground where cooperation of other sectors is strongly needed. Apart from sectors such as agriculture, forestry, science, water management etc., there are several key areas that Slovenia has to be more focused in the post 2020 period, such as health and infrastructure. In order to reduce harm to biodiversity and ecosystems, Slovenia puts considerable efforts in implementing its Natura 2000 Programme, which is a key strategic document in the area of biodiversity conservation. However, there is still place for improvement particularly in areas outside of Natura 2000. The real problem is that compared to its obligations arising from rich biodiversity and high level of legal protection the resources to service these obligations are often insufficient. This is particularly the case with management of existing human resources. In many instances, decision makers do not realise the potential of available resources within the academia and the NGO community. Cooperation is often not sufficient and leads to conflicts rather than seeking best possible common solutions. Regular monitoring of integration through relevant indicators based on a common methodology for each sector, and reporting on the process of sectoral integration is needed. There is also an open space for the government to encourage the participation of volunteers in the performance of tasks related to biodiversity conservation (citizen science).

Specific examples:

It is necessary to combine efforts and harmonize cross-sectoral approaches to sustainable land use. In a constructive dialogue between sectors, the sustainable use of land is not a development barrier, but rather a development opportunity. The Slovenian public should have improved knowledge of the importance of biodiversity and awareness of its role in decision-making process.

The national budget does not provide sufficient resources to implement the entire national monitoring scheme under the prescribed protocols. For some groups of species, there are not enough experts to set up monitoring, and knowledge should be deepened to further enhance existing monitoring for the needs of managing both species and areas important for biodiversity conservation.

The main problem with the implementation of agri-environment-climate payment measures is that they are voluntarily and only applied in areas where landowners are interested. Therefore, measures are often not implemented at most important areas for biodiversity conservation and there is a lack of adequate staff to promote these measures among farmers. The interests of food production seems too often outweigh the interest of nature conservation. Common problems in agriculture and forestry are also the complexity of procedures in obtaining various approvals, the unwillingness of the participation of landowners and the lack of prior awareness of the situation.

In fresh water fisheries there may be a lack of financial and human resources, in particular for the removal of non-native invasive species. Conflicts of interest between the measures envisaged and the interests of the concessionaires are possible.

Awareness raising activities should be planned in the end by combining activities of state bodies, public institutions and non-governmental organizations. The wider public will need to be acquainted with the links between climate change and their impacts on ecosystems and biodiversity and on the positive effects of biodiversity conservation on mitigation and adaptation to climate change. One of the challenges in Slovenia is to strengthen the awareness-raising capacities of public services active in the field of biodiversity conservation and the management of its components (e.g. agriculture, forestry, water management, energy, spatial planning, and tourism). In the coming years it will be also very important to use targeted communication modes and give more emphasis to modern forms of communication that are close to the youth.

7. Please specify ways in which additional protection is provided (or should be provided) for populations who may be particularly vulnerable to declining biodiversity and degraded ecosystems (e.g. women, children, persons living in poverty, members of Indigenous peoples and local communities, older persons, persons with disabilities, ethnic, racial or other minorities and displaced persons). How can these populations be empowered to protect and restore declining biodiversity and degraded ecosystems?

Formally, populations, which may be particularly vulnerable to declining biodiversity and degraded ecosystems, are equally empowered to participate in these processes. In practice, these possibilities are not fully respected, for instance in relation to older persons, persons with disabilities and some ethnical minorities

Slovenia's Development Strategy by 2030 (SDS2030) is a fundamental national strategic document that defines the well-being of the population as the highest development goal. All changes in the economy and society should be directed towards increasing the well-being of the present and future generations, taking into account the environmental restrictions and human health considerations. According to SDS2030, the aim of development is not only to achieve economic growth but also progress in the service of increased well-being and the conservation of natural capital. Slovenia's development will therefore be directed toward ensuring a green living environment by investments in green infrastructure, measures for nature protection and biodiversity conservation, and the provision of a biosafety system. Based on the SDS2030, Slovenia should invest in a way to accelerate economic growth, create new jobs and use its natural potential (wood, water, biodiversity) but at the same time ensure that pressures on the environment are reduced (e.g. food self-sufficiency with an emphasis on organic production, establishment of a wood-processing value chain, the energy renovation of buildings, the transition to renewable energy sources, modernisation of the railway network and public transport, efficient use of natural resources, green tourism).

8. How do you safeguard the rights of individuals and communities working on biodiversity issues (potentially identified as environmental human rights defenders or land defenders)? What efforts has your Government made to create a safe environment for them to freely exercise their rights without fear of violence, intimidation, or reprisal?

Slovenia is a Party to the [Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters](https://live.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf) (Aarhus Convention), which our country signed in 1998 and ratified in 2001. With its ratification, Slovenia has committed itself to comply with its principles and provisions and to transpose them into national legislation. The Convention is therefore legally fully binding, so the state cannot rely on the shortcomings of its legislation. This also applies to the work of local authorities. It legitimizes the right to public participation in all matters related to the environment, and not merely the right to consultation, thus deepening the democratic work of public administration. Environmental issues in the public interest must be fully integrated into the decision-making of state bodies. According to the provisions of the Convention, the public must participate in all procedures where decisions are made on activities that may have an impact on the environment, i.e. their impact is already known or not yet. Therefore, this impact needs to be examined.

At the request of the applicant, each public authority must send information on the environment within one month at the latest, in exceptional cases within two months. The grounds for refusal are listed and must be interpreted restrictively. If access is denied or incomplete, the person / organization may contact the Information Agent.

Article 6 of the Convention regulates the right to co-decision on activities authorized by the state / municipality, which are set out in the Annex to the Convention. In addition, it includes all activities that require an environmental impact assessment and all those activities that could have a significant impact on the environment. This article separates the interested public (parties and non-governmental organizations in the public interest) from the public (individuals, groups, associations), which also has a general right to participate in decision-making. Both must be duly informed of all stages of the procedure, of all relevant materials, of the decision-making body, the time and place of the public hearing, the body collecting comments, the body providing information and the deadlines for submitting comments. The public is entitled to participate at all stages from the beginning to the end of the procedure, and the state / municipality must ensure that the outcome of public participation is duly taken into account in decisions. The Authority may re-examine or amend the conditions for carrying out the proposed activity or spatial intervention.

In this way, the public and the state / municipality together seek for additional, alternative and better solutions and measures in the field of environmental protection. If the public's proposals are unjustifiably disregarded and procedural violations have occurred, the interested public is left with the institution of the Ombudsman who can be involved in proceedings and request clarifications regarding them and the cessation of violations.

The outcome of participation should be taken into account as much as possible. If there are violations of the procedure, a party or non-governmental organization in the public interest may request a constitutional review of the act, and the wider public may contact the institution of the Ombudsman. This can also help in the event of frequent violations occurring in inspection procedures. It also makes sense to connect local non-governmental organizations in the field of environmental protection with non-governmental organizations in the public interest, which should participate in important local procedures from the beginning, i.e. already in the phase of the first public hearing. If an act is formally adopted correctly but has serious substantive issues, a non-governmental organization in the public interest may call for its assertion. In addition, non-governmental organizations in the public interest may participate in the procedures for the adoption of acts as parties and thus more easily express their interests.

Pokaži več

Pokaži manj

It is important that the public gives consent to the final intervention, project and technology and to its impact on space / environment. The right to participate in the procedure even after the occurrence of the intervention, project or placement of technology in space, when the question of their acceptability to the environment subsequently arises is an important mechanism. Parameters and environmental impacts must be measured and verified several times, even in different circumstances. The public must be involved, as well as in the issuance of permits for interventions, projects and technological procedures at all stages of the project. The state / municipality must carefully analyze the project and allow the public enough time for insight and comments, depending on the nature and scope of the material. The minimum deadline should be 30 days and an additional one for comments (depending on the scale of the project). Then it is necessary to carefully and equally check all alternatives to the intervention that appear in the process as possible, and choose the one that has the least impact on the environment and its components.

Despite legally well-established system, in some instances in practice decision makers do not realise the potential of all available resources within the local and NGO communities and cooperation is often not sufficient which leads to conflicts rather than seeking best possible common solutions. Regular monitoring and reporting of integration through relevant indicators based on a common methodology for each sector has to be strengthened.

9. There is substantial evidence that consumption in high-income States is adversely affecting biodiversity and ecosystems in low and middle-income States. What are ways in which high-income States should assist low-income States in responding to biodiversity loss and ecosystem degradation, while simultaneously contributing to sustainable development in those low-income States?

In general, the situation in Slovenia is the same as in other EU Member States, where the environmental impacts of consumption are the greatest in the food, building and transport sectors. In order to achieve the goal, the link between economic progress and environmental degradation should be unlocked. It is also important to make sure that sustainable consumption in Slovenia will become a dominant lifestyle, since it is necessary to change the purchasing habits and the way to use and dispose of products and services. There is still much to be done with regard to awareness rising, as consumers can achieve a change in the orientation of the business sector by choosing and buying certain products.

Sustainable development principles have been considerably realised in Slovenia but there are still deficiencies and an imbalance in all of its three components (economic, social and environmental). In the context of sustainable production and consumption in Slovenia, we must also consider the shift to an energy-efficient economy based on renewable energy sources. Investments focusing on low-carbon and sustainable energy generate new jobs and encourage the development of new industries. Efficient use of energy in buildings is considered one of the main priority areas for achieving the goals of climate and energy policy in Slovenia and the EU, where greenhouse gas emissions should be reduced by 80-95% by 2050 relative to the year 1990. Energy costs represent a large part of the costs of the public sector and the economy, efficient use of energy already became a key policy priority in Slovenia, which in turn means saving public money and improving the competitiveness of the economy.

The construction of energy-efficient buildings is recognizable in Slovenia, by individual investors and in public buildings. There is a need for examples of good practices in construction of almost zero energy buildings, as envisaged in the updated Energy Performance of Buildings Directive. Wood is easy accessible and the most important natural resource in Slovenia and some significant moves have been made to improve processing and utilisation of locally made wood products.

Natural resources in many developing countries are still rich (e.g. forests, fertile soil, renewable energy sources, beauty and diversity of landscapes, water). Together with people's knowledge, creativity and innovation, they represent the basis for the development of a decentralized, low-carbon economy. Sustainable development of rural areas is not only important for the revitalization of the countryside, but with a regional balanced development process, it brings higher quality of life and competitiveness of the economy at the state level, and preserves the strategically important population density of the state territory. In addition to climate change and other environmental pressures, it also addresses the pressing problem of unemployment.

Slovenia as a relatively high-income state can (and already does) assist low-income States in responding to biodiversity loss and ecosystem degradation, while simultaneously contributing to sustainable development through the transfer of knowledge and technical assistance for shift to an energy-efficient economy based on renewable sources (e.g. waste management, food production, energy-efficient construction).

10. For businesses, what policies or practices are in place to ensure that your activities, products, and services across the entire supply chain (extraction/sourcing, manufacturing, distribution, sale, and end-of life management) minimize biodiversity loss and ecosystem degradation and meet human rights standards, especially those articulated in the Guiding Principles on Business and Human Rights?

In Slovenia, nature protection is, as a rule, a non-profit activity that must be provided by the state and local communities in line with their responsibilities. The financing thereofis generally carried out through the state budget with addition of funding through the EU and some other funding mechanisms. Slovenia has not yet developed payment for ecosystem services, which is a potential source of financing for biodiversity conservation measures and the establishment of new protected areas is generally financed from the state budget. The Business & Biodiversity Mechanism has not yet been fully realised in Slovenia.

At the level of the European Union of which Slovenia is a member a commitment has been made to ensure that environmental and social interests are fully embedded into business strategies. In that regard, new initiative on sustainable corporate governance will be put forward in 2021. This initiative, which may take the form of a legislative proposal, will address human rights and environmental duty of care and due diligence across economic value chains in a proportionate way according to different sizes of entreprises.

In order to achieve the goals of the ReNPVO20-30, *inter alia,* more effective mobilization of climate finances will be necessary. Slovenia intends to double the funds for climate finance, which are intended for developing countries. In this respect, the Ministry of the Environment and Spatial Planning has already begun to prepare the National Climate Strategy by 2050. It is also worth mentioning that in 2018, EUR 75 million EUR of **green bonds** were sold to investors. The green bond is based on the form and method of financing environmental projects through the capital market. The funds raised through the issuance of green bonds can be used for eco-efficient products, technologies and processes, pollution prevention and control, sustainable management of living natural resources, sustainable management of water resources, renewable energy, energy efficiency and clean transport. Green bonds are intended to large companies and small and medium-sized enterprises that raise funds for new or existing ecologically sustainable projects.

The usual understanding of the green tax reform, whereby revenues from environmental taxes create opportunities for reducing the burden on labour costs, is not satisfactory applicable in Slovenia.  Future activities should therefore aim at increasing the effectiveness of environmental taxes and other fiscal policy instruments, with an appropriate balance between the various objectives of fiscal policy and the integration of different instruments in order not to be mutually contradictory. Despite considerable progress, the main problem remains the policy of subsidies since products and production that are harmful to the environment are still indirectly and directly subsidized. In addition, this practice is also contrary to the polluter-pays principle. In the case of environmentally harmful subsidies, these costs are in many instances still not borne by polluters but by a general society.

**Submission of responses**

We encourage you to please send your responses to the questionnaire in Word format **by email** to [srenvironment@ohchr.org](mailto:srenvironment@ohchr.org).

However, submissions will also be accepted via regular mail at the following address:

UN Special Rapporteur on human rights and the environment

Thematic Engagement, Special Procedures and Right to Development DivisionUNOG-OHCHRCH-1211 Geneva 10, Switzerland

We kindly request that your submission be concise and limited to a maximum of 5 pages (or 2,000 words), not including appendices or attachments.

**Due to a limited capacity for translation, we also request that your inputs be submitted in English, French, or Spanish.**

To avoid unnecessary duplication: if you have recently replied to other questionnaires from UN human rights mechanisms (or other international bodies) with information that would be relevant to this request as well, we welcome your directing us to those replies.

**The deadline for submission is 31 May 2020.**

Unless otherwise requested, all submissions will be *made publicly available* and posted on the Special Rapporteur’s homepage at the OHCHR website.

1. A/HRC/40/55 [↑](#footnote-ref-1)
2. A/74/161 [↑](#footnote-ref-2)
3. A/HRC/43/53 [↑](#footnote-ref-3)
4. See, A/HRC/43/53, Annex II. [↑](#footnote-ref-4)