

The final draft version of the Slovenian long-term climate strategy has been confirmed by the Slovenian Government on the 22nd of April and forwarded it to the Slovenian Parliament, where it will be discussed and adopted. The 'Long-term Climate Strategy of Slovenia till 2050' should have been adopted at the beginning of 2020, according to the EU Regulation on the Governance of the Energy Union and Climate Action (2018/1999). The fact it is being adopted more than a year after the Slovenian integrated national energy and climate plan (NECP), has, among other factors, contributed to it being substantially different than the NECP, which was adopted in the February of 2020.

The Slovenian NECP, which has been subject to the SEA procedure, proposed two different futures for the country regarding climate neutrality and the energy sector. These two futures are substantially building a new nuclear power plant, or investing heavily into biogas and related alternative fuels. One of these futures was to be selected in the following years (by 2027, page 55 of NECP) through several comprehensive analyses, including an economic and environmental one, overseen by an expert interdepartmental work group and including comprehensive public participation. The Slovenian Government has disregarded the proposed procedure and unilaterally selected the energy future of Slovenia; building a new nuclear power plant.

The new proposal of the long-term climate strategy has been substantively and essentially altered after the public consultation, which took place in September of 2020. The first proposal followed the proposed path to deciding the energy future in NECP by 2027. The new draft disregarded the proposed procedure. It states: "in the field of nuclear energy Slovenia plans long-term use of nuclear energy and for this purpose carries out administrative procedures and preparation of documentation for investment decision-making".

This and other related provisions present, regardless of the non-binding nature of the strategy, the basis for all further legally binding legislation and related documents enabling the construction of a new nuclear power plant in Slovenia. As such, the strategy falls within the definition of 'plans and programmes' and within the scope of the SEA Directive (2001/42/EC). For such a strategy the procedure of an environmental assessment should be made (Paragraph 2 of Article 3 of the SEA Directive).

The performed SEA procedure for the Slovenian NECP cannot serve as an assessment of the long-term climate strategy. The strategy presents fundamentally different impacts on the environment as proposed by the NECP.

This has been disregarded by the current Government, along with article 6 of the Aarhus Convention which demands public participation in decision making, which will affect the

environment. The public consultation (September 2020) version of the strategy did not include the final decision regarding nuclear power and as such, the Slovenian civil society or energy experts never had an opportunity to formally debate or present their arguments regarding the proposed decision – to formally or effectively participate in decision making. In the year 2018, the Slovenian government at that time even proposed a referendum regarding investment into nuclear power. The current government made the decision unilaterally, without the participation of the public and without notifying the neighbouring countries, which it should as ESPOO Convention and the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment (Article 4). The neighbours have the right to participate in the SEA procedure which needs to be performed regarding nuclear power plants (Paragraph 2 of the ANNEX I of the Protocol). As such, the Slovenian government continues the degradation of public participation and the role of the civil society in essential decisions on the national level. This is the current state of affairs regarding the work of the Ministry for the Environment and Spatial Planning in the last year. The particular process of adopting the Long-term Climate Strategy is in breach of the Aarhus Convention, the ESPOO Convention, the SEA Directive, the Slovenian Constitution and the national legislation.

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