

Review of key policies and stakeholders on invasive alien species in countries of the Sava River basin

November 2020

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Citation recommendation:

Kus Veenliet, J. (Ed.), 2020. A.-A. Dragomirović, H. Hadžihajdarević, I. Sučić, L. Basrek, V. Hima R. Bukvić, M. Bartula, B. Panjković, K. Szabados, T. Bošnjak, A. Kiš, A. Tratnik. Review of key policies and stakeholders on invasive alien species in countries of the Sava River basin. Project Output of the Work Package 6 of the Sava TIES project, Euronatur.

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I SUMMARY

Invasive Alien Species (IAS) are species that are accidentally or deliberately introduced into a natural environment, outside of their native distribution and negatively impact the environment. Nowadays, IAS are seen as one of the most important **pressures on biodiversity**. Despite this, legislative frameworks for effective management are often underdeveloped.

In the years 2018–2021, project partners in four countries of the Sava River basin (Croatia, Bosnia and Herzegovina, Serbia and Slovenia) are implementing project *Sava TIES - Preserving Sava River Basin Habitats through Transnational Management of Invasive Alien Species*. Part of this project is dedicated to proposing legal solutions for more effective management of IAS to policymakers.

To develop meaningful recommendations to policymakers, we analyzed the current key policies that are relevant for the management of IAS. Under the guidance of an external expert, the partners of the Sava TIES project prepared a comprehensive **overview of all legislative and strategic documents, which**, at least in some parts, cover the issues of invasive alien plants. This document is the basis for developing recommendations for improving current legal frameworks on IAS in the countries of the Sava River Basin.

The outcome of this policy review is not a surprise. When it comes to working on IAS, **practitioners in protected areas often face challenges**. Many of these challenges are caused by the underdeveloped legal systems, making it difficult to find practical solutions for the prevention and control of IAS. Our review shows that the introduction of IAS is prohibited in all project countries. Only in exceptional cases, the intentional introduction may be allowed based on a positive risk assessment. However, **mechanisms to prevent unintentional introductions, a primary pathway for IAS, remain poorly developed**.

Moreover, there are **no mechanisms and rules for early warning and rapid response**. The only exception among the four analysed countries is **Croatia, which recently adopted a dedicated law on IAS** and provided a legal basis for implementing EU regulation on IAS 1143/2014¹. Croatia is also the only country that has so far set up a legal basis for an institutional framework. In **Bosnia and Herzegovina, Serbia and Slovenia, there are no dedicated institutional frameworks for IAS**. Problems with IAS are if at all, solved on a case-by-case basis.

Management of IAS is challenging due to the **variety of species and pathways** and the many stakeholders who are or should be involved. In all countries, issues with IAS are **primarily dealt with within the environmental sector. Only fragmented rules for the prevention and control of IAS are included in the legislation of other sectors**. Efforts should be made to ensure that IAS are addressed by the principles of the ecosystem approach and are tackled by all sectors.

Our policy review is rather extensive because the relevant parts of legal texts are collated in native languages. To make the document more operational, we provide summaries of the situation in each country with an overview of the regulations which are relevant for IAS and which topics they cover. This also reveals significant gaps which the recommendations will address.

¹ Regulation (EU) No 1143/2014 of the European Parliament and of the Council on the prevention and management of the introduction and spread of invasive alien species. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R1143&from=SL>

1.1. Summary for Bosnia and Herzegovina

The legal framework in Bosnia and Herzegovina (BiH) is quite complex due to the combination of different governmental systems. The two Entities - the Republic of Srpska (RS) and the Federation of Bosnia and Herzegovina (FBiH) each have separate legal systems. These Entities also have each its Law on Nature Conservation. However, regarding IAS, they are similar. The Law on Nature Protection of FBiH includes only a definition of “alien species”, while the Law on Nature Protection of RS also defines the term “invasive alien species”. In both entities, it is prohibited to introduce alien species unless a special permit is granted after a risk assessment is performed. In FBiH, the risk assessment procedure is formalized in a separate bylaw, while this procedure is not precisely defined in RS. In FBiH the law envisages the adoption of rules on the prevention of unintentional introductions and on actions to control and eradicate IAS. This bylaw is not yet adopted. In RS, the law envisages the adoption of a list of species that are considered invasive and measures for their control or eradication. Also, this bylaw has not yet been adopted. See **Table 1** for an overview of all policy documents related to IAS.

Some crucial parts of the legal framework for the management of IAS in Bosnia and Herzegovina are clearly missing. There are no specific rules on early warning and rapid response. Also, the planned bylaws on control and management of IAS are not yet adopted.

In the FBiH, management of invasive alien species is mainly the responsibility of the Federal Ministry of Environment and Tourism, while in RS it falls under the Ministry of Spatial Planning, Construction and Ecology. The prohibition of IAS introductions is also stipulated in several laws on the establishment of protected areas; however, no other rules are defined.

IAS are also mentioned in several strategic documents of RS; however, no such documents are adopted in the FBiH. The Nature protection strategy of RS contains several actions to improve the knowledge on IAS and the cooperation between various institutions. However, these actions are not yet implemented. In the context of the Sava TIES project, it is important to mention that the Republic of Srpska adopted the Sava River Basin Management Plan (2017–2021), which recognizes IAS as a significant issue for water management. Several measures are planned regarding IAS: to carry out an inventory of IAS, to develop databases and prepare maps, as well as to prepare action plans for the management of IAS.

Outside of the nature conservation sector, only some strategic documents on water management and forestry contain actions on IAS.

Table 1. Overview of policies that are relevant for the management of invasive alien plants in Bosnia and Herzegovina (Regulations marked with “FBiH” apply to the Federation of Bosnia and Hercegovina; those marked with “RS” apply to the regulations of the Republic of Srpska).

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
SECTOR: NATURE CONSERVATION							
Law on Nature Protection (FBiH)	✓		✓	✓		✓	
Rules on carrying out risk assessments, report on the risk assessment for the introduction, reintroduction and breeding of alien species and on the process of issuing a permit for introduction of alien species in Federation of Bosnia and Herzegovina (FBiH)				✓			
Law on the National park Una (FBiH)			✓				
Law declaring the part of the mountain Konjuh as protected landscape "Konjuh" (FBiH)			✓				
Law on Nature Protection (RS)	✓		✓	✓		✓	
Law on National Parks (RS)			✓				
Law on National Park Drina (RS)			✓				
Nature protection strategy (Republic of Srpska) (RS)		✓					

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
SECTOR: AGRICULTURE							
<i>no policy texts cover IAS</i>							
SECTOR: FORESTRY							
Forestry development strategy – Republic of Srpska 2011–2021 (RS)							✓
SECTOR: WATER MANAGEMENT							
Sava River Basin Management Plan (2017–2021) (RS)							✓
Trebišnjica River Basin Management Plan (2017–2021) (RS)							✓
SECTOR: SPATIAL PLANNING							
<i>no policy texts cover IAS</i>							
SECTOR: WASTE MANAGEMENT							
<i>no policy texts cover IAS</i>							

1.2. Summary for Croatia

Of all four analyzed countries, the most advanced legal framework exists in Croatia (**Table 2**), which, in 2018, adopted a dedicated act on the management of invasive alien species. This Act regulates the prevention of introductions of IAS and their management, aiming to prevent their adverse impacts on biodiversity. The regulation provides a legal framework for the implementation of the EU regulation 1143/2014 on IAS, covers measures for IAS of Union concern, and for IAS of concern to the Republic of Croatia. The regulation also provides grounds for a solid institutional framework for early warning and rapid response, official controls, inspection, national monitoring, and inter-ministerial cooperation.

So far, only an ordinance has been published which defines alien species which may be placed on the market without a risk assessment (i.e. the white list). IAS of the concern to the Republic of Croatia (i.e. the blacklist) have not yet been defined, which causes some difficulties in the implementation.

In the national biodiversity strategy, several goals and targets for improving the management of IAS are defined, which closely follow the goals of the Strategic Plan for Biodiversity 2011–2020 and relevant Aichi Biodiversity Targets, adopted by the Parties to the Convention on Biological Diversity. The National Strategy for Sustainable Development, however, only addresses IAS in the marine environment and does not take all aspects of IAS into account.

The agricultural legislation does mostly not cover IAS. The only exception is the ordinance on the implementation of direct support to agriculture through rural development measures. This ordinance prescribes management requirements for the meadows of high nature-conservation value and for the conservation of Corncrake. It also defines an obligation for the landowners to manually remove several invasive alien plants unpalatable to livestock.

The Act on Forests does not mention invasive alien species. However, it states that forest owners must maintain the natural forest composition, preserve native species and predominantly use native species for planting. Species from elsewhere (alien species, other varieties or proveniences) can only be used when the impact on the ecology and genetic integrity of native species has been evaluated, and the negative impacts are avoided or minimized.

The Water Law does not cover any issues regarding IAS, despite that the retention capacity of several large floodplains is severely compromised due to the spread of invasive alien plants.

The general legislation on spatial planning in Croatia does not contain any articles on IAS. However, spatial plans of several spatial units include a general prohibition of the introduction of alien species.

Regulations on waste management do not cover IAS, and on the implementation level, there are some difficulties regarding the disposal of the material of invasive alien plants.

Table 2. Overview of policies relevant to the management of invasive alien plants in Croatia

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
SECTOR: NATURE CONSERVATION							
Act on the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species	✓	✓	✓	✓	✓	✓	✓
Nature Protection Act							now all in a separate act
Ordinance on alien species that may be placed on the							✓ white list

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
market and invasive alien species							
Strategy and Action Plan for the Protection of Biological and Landscape Diversity of the Republic of Croatia		✓	✓	✓	✓		✓
Regulation establishing the framework for action of the Republic of Croatia in the protection of the marine environment			✓			✓	✓ define indicators, only for the marine environment
Strategy for Sustainable Development of the Republic of Croatia			✓				✓ goals for the marine environment
SECTOR: AGRICULTURE							
Law on Agriculture			✓				✓
Law on Agricultural Land							IAS not specifically mentioned
Ordinance on the implementation of direct support to agriculture and IACS rural development measures for 2020						✓	✓ Financing
SECTOR: FORESTRY							
Act on Forests			✓				

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
Rules on forest management						✓	not directly applying to IAS
SECTOR: WATER MANAGEMENT							
Water Law							not mentioning IAS
SECTOR: SPATIAL PLANNING							
Spatial Development Strategy of the Republic of Croatia			✓				only some reference to marine IAS
Decision on the adoption of the Spatial Plan of Žumberak-Samoborsko gorje Nature Park			✓				
Decision on the adoption of the Spatial Plan of Medvednica Nature Park			✓				
Decision on IV. amendments to the Decision on the adoption of the Spatial Plan of the Zagreb County			✓				
Decision on the adoption of the Spatial Development Plan of the area			✓				only guidelines

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
of special values Črnkovec - Zagreb Airport							
Decision on IV. amendments to the Decision on the adoption of the Spatial Plan of the Zagreb County			✓				only guideli nes
Decision on amendments to the Decision on the adoption of the Spatial Development Plan of the Samobor City			✓				only guideli nes
SECTOR: WASTE MANAGEMENT							
<i>no policy texts cover IAS</i>							

1.3. Summary for Serbia

In Serbia, the issue of IAS is mainly covered by the Law on Nature Protection. The introduction of alien species and their hybrids is prohibited but may be allowed with a permit from the ministry, based on the risk assessment results. The Law on Nature Protection provides the basis for adopting the list of invasive alien species, but this list has not yet been prepared and is preventing setting stricter rules and control regarding the use and management of some alien species within and outside of protected areas. According to the Law on Nature Protection, site managers of protected areas have to ask for permission for the use of herbicides, meaning that rapid response actions may have to be done manually or they are delayed. The Article on the Limitations or Terminations of Use gives a possibility for rapid response in case some rare or valuable habitat is threatened by IAS due to land use practice.

The Decree on the Ecological Network defines protected areas and important habitats of protected and strictly protected species and international ecological corridors. The measures in the core areas of these corridors do not specifically mention IAS but prohibit the destruction and degradation of habitats and set a requirement to actively manage corridors to maintain their natural and semi-natural elements. In the buffer zones, activities that could cause the spread of IAS into the ecological network are prohibited. This measure

is widely used in the Conditions for Nature Protection, issued by the Nature Conservation Institute in the process of preparing plans, programs or projects. These measures are sometimes accepted and integrated into the spatial planning documents and sometimes dismissed due to the absence of legally declared invasive alien species.

The Decree on Protection Regime, adopted as a bylaw of the acts on nature conservation, provides protective measures in protected areas. The 1st level of protection provides a possibility to take measures to prevent the spread of diseases, plants or animals. The 2nd level protection regime provided a prohibition to introduce alien species to protected areas. The third-degree regime is limiting the setting of forest monocultures of alien species except for preventing erosion and restoration of devastated and infertile land.

Legal provisions of other sectors in Serbia do not provide many further rules on IAS. In the field of agriculture, there is a dedicated decree on the control and eradication of Common Ragweed, *Ambrosia artemisiifolia*; however, it is not consistently implemented.

Law on Forests and Forest Development Strategy do not mention IAS. The same is for the sector of water management as the issues of IAS are not covered by the Law on Waters. IAS are mentioned in the Water Management Strategy as a threat, but no further measures are planned.

The legislation on spatial planning does not include specific provisions on IAS; however, they can be included in the implementing spatial planning documents via the Conditions on Nature Protection which are prepared by the Nature Conservation Institute.

The Regulations on waste management do not contain any provisions on IAS.

Table 3. Overview of policies relevant to the management of invasive alien plants in Serbia

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
SECTOR: NATURE CONSERVATION							
Law on Nature Protection	✓		✓	✓	✓	✓	
Decree on the Ecological Network			✓			✓	
Decree on the Protection Regimes			✓				
Decree on Special Nature Reserve "Zasavica"			✓				

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
SECTOR: AGRICULTURE							
Decree on measures of control and extirpation of the weed <i>Ambrosia artemisiifolia</i> L. (spp.)						✓	
SECTOR: FORESTRY							
Law on forests							does not apply to IAS
Forest development strategy							
SECTOR: WATER MANAGEMENT							
Law on waters							does not apply to IAS
<i>no legal text mention IAS</i>							the development of a Water Management Plan is under way
SECTOR: SPATIAL PLANNING							
Planning and building act							enables integration of other legal acts
SECTOR: WASTE MANAGEMENT							

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
<i>no legal text mention IAS</i>							

1.4. Summary for Slovenia

In Slovenia, alien species are primarily included in the Nature Conservation Act. This Act defines alien species (but not the term invasive alien species), provided provisions on rules and requirements regarding the introduction of alien species and breeding of alien animals. The introduction of alien species is not allowed. However, a derogation from this prohibition is possible if, after a positive assessment of risk to nature, a special permit for the introduction of alien species is granted by the competent ministry. The rules on the assessments are specified in a bylaw. This framework provides a mechanism to control intentional introductions of alien species but does not address control of unintentional introductions. The legislation does not include any measures to prevent unintentional introductions of alien species through common pathways, and also, the rules on early warning and rapid response are lacking. Overall there is a lack of an appropriate institutional framework that would determine mandates over specific tasks to the appropriate national institutions.

The national blacklist of invasive alien species has not yet been adopted. An alert list of invasive alien species in forests was prepared in 2017 and amended in 2019, but that does not have legal validity. Under the legislation on agriculture, landholders are obliged to prevent the spread of the alien plants of the genus *Ambrosia* (of which only *Ambrosia artemisiifolia* is so far widespread in Slovenia).

As Slovenia is a European Union member, the EU Regulation 1143/2014 is directly applicable. However, the current national legislation does not provide sufficient grounds for the implementation of the EU Regulations. The process of amending national laws are underway. These measures are also included in the National Environment Protection Programme, which was adopted in March 2020.

Some scattered rules on alien species are also in other laws and bylaws. The bylaw setting the rules on Natura 2000 network includes guidance that animals and plants of alien species and genetically modified organisms shall not be introduced to Natura 2000 areas. Some management measures for IAS are included in the Operational program for the management of Natura 2000 areas 2015–2020. Many decrees on the establishment of protected areas contain a general prohibition of the introduction of alien species within protected areas.

Legislation on agriculture contains little reference to alien species. However, under the rules on cross-compliance farmers, receiving subsidies are obliged to prevent the spread of five invasive plants (*Solidago canadensis*, *Solidago gigantea*, *Erigeron annuus*, *Rudbeckia laciniata* and *Ambrosia artemisiifolia*). The Act on forests does not mention alien species. However, the Rules on the protection of forest contain provisions for maintaining the natural balance of forest ecosystems.

However, regarding alien species, the rules refer to nature conservation regulations. The rules contain some provisions regarding the pests of trees; however, they do not cover alien plants, which may prevent the rejuvenation of forests when forming dense stands.

Table 4. Overview of policies relevant to the management of invasive alien plants in Slovenia

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
SECTOR: NATURE CONSERVATION							
Nature Conservation Act	✓		✓	✓		✓	
Decree on special protection areas (Natura 2000 areas)			✓				
Rules on the carrying-out of the assessment of risk to nature and the obtaining of authorization				✓			
Decree on the Ljubljansko barje Landscape Park		✓	✓				
Decree on Kolpa Landscape Park			✓				
Decree on Sečovlje Salina Natural Park			✓				
Decree on Radensko polje Landscape Park			✓				
Decree on the Ormoška laguna Nature Reserve			✓				
Triglav National Park Act		✓	✓				
Škocjan Caves Regional Park Act			✓				
[Municipal] Ordinance on Notranjska Regional Park			✓				
[Municipal] Ordinance on Seasonal Lakes of Pivka Landscape Park			✓				

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
[Municipal] Ordinance on Debeli rtič Landscape park			✓				
* National Environment Protection Programme with programmes of measures until 2030			✓	✓	✓	✓	✓
* Ordinance on the Climate Change Funding Programme for the period 2020–2023							✓
SECTOR: AGRICULTURE							
Agricultural Land Act			✓				
Decree on agricultural-environmental-climatic measures and payments for naturally and otherwise specifically less favoured areas according to the Rural Development Programme of the Republic of Slovenia 2014–2020				✓			✓
Decree on cross-compliance						✓	
Decree on measures to suppress harmful plants of genus Ambrosia						✓	
SECTOR: FORESTRY							
Act on Forests						✓	
Rules on forest protection					✓	✓	
SECTOR: HUNTING							
Game and Hunting Act						✓	

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
SECTOR: WATER MANAGEMENT							
* The management plan for the Danube river basin for the period 2016-2021						✓	
* The management plan for the Adriatic river basin for the period 2016-2021						✓	
SECTOR: SPATIAL PLANNING							
some implementing regulations on spatial planning			✓				
SECTOR: WASTE MANAGEMENT							
Decree on biodegradable kitchen waste and garden waste management						✓	
Decree on the treatment of biodegradable waste and the use of compost or digestate						✓	

1.5. Summary for the European Union

Croatia and Slovenia are already members of the European Union, Serbia is a candidate for accession, and Bosnia and Herzegovina is a potential candidate. Therefore, the European Union legislation is relevant to all four countries.

In 2014 the European Parliament adopted a new Regulation (EU) No 1143/2014 on the prevention and management of the introduction and spread of invasive alien species. The regulation entered into force on 1 January 2015. The core of the IAS Regulation is the list of Invasive Alien Species of Union concern, which was adopted with the Commission Implementing Regulation and subsequent amendments. Currently, 66 invasive alien species are on the Union List, but a further extension is expected in the coming years.

The IAS Regulation provides for measures to be taken across the EU in relation to invasive alien species included on the Union list. Member States should implement measures for the prevention, early detection and rapid eradication and management of IAS of Union Concern.

The regulation also requests that the Member States prepare and implement action plans for the most relevant pathways of spread and to establish a surveillance system.

The recently adopted EU Biodiversity Strategy for 2030 includes a goal to achieve a 50 % reduction in the number of Red List species that are threatened by invasive alien species.

Table 5. Overview of policies relevant to the management of invasive alien plants in the European Union

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
SECTOR: NATURE CONSERVATION							
Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species	✓		✓	✓	✓	✓	✓ Financing, cooperation

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
Commission Implementing Regulation (EU) 2016/1141 of 13 July 2016 adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council			✓	✓	✓	✓	
Commission Implementing Regulation (EU) 2017/1263 of 12 July 2017 updating the list of invasive alien species of Union concern established by Implementing Regulation (EU) 2016/1141 pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council			✓	✓	✓	✓	
Commission Implementing Regulation (EU) 2019/1262 of 25 July 2019 amending			✓	✓	✓	✓	

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
Implementing Regulation (EU) 2016/1141 to update the list of invasive alien species of Union concern							
EU Biodiversity Strategy for 2030							✓ strategic goals and measures
Council Directive 92 / 43 / EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora			✓				
SECTOR: AGRICULTURE							
Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005						✓	

Name of the legal text	Topics covered						
	Definitions	Institutional framework	Prevention	Risk assessment	Early Warning and Rapid Response	Control and management	Other
and (EC) No 485/2008							
SECTOR: FORESTRY							
<i>no legal texts mention IAS</i>							
SECTOR: WATER MANAGEMENT							
<i>no legal texts mention IAS</i>							
<i>no legal texts mention IAS</i>							
SECTOR: SPATIAL PLANNING							
<i>no legal texts mention IAS</i>							
SECTOR: WASTE MANAGEMENT							
<i>no legal texts mention IAS</i>							

II INTRODUCTION

Invasive Alien Species (IAS) are species that were introduced accidentally or deliberately into a natural environment outside of their native distribution and negatively impact the environment. Despite that IAS are nowadays considered one of the main pressures to biodiversity, legislative frameworks that would enable their management and introduction are only slowly being developed.

Even on the European Union level, a common legal framework on IAS is in place only since 2015, when EU Regulation 1143/2014 entered into force. In the Sava River basin countries, the development and implementation of Legislation on national levels also appear to be very slow, which causes difficulties in the efficient management of invasive alien species.

In the years 2018–2021, project partners from four countries of the Sava River basin (Slovenia, Croatia, Bosnia and Herzegovina and Serbia) are implementing project *Sava TIES – Preserving Sava River Basin Habitats through Transnational Management of Invasive Alien Species*. The main goals of the projects are:

- (i) to find an effective solution for permanent eradication of IAS,
- (ii) to reduce habitat fragmentation,
- (iii) to improve the connectivity of the transnational ecological corridor.

Work Package 6 of project Sava TIES is dedicated to proposing legal solutions for more effective management of IAS to policymakers. Protected area authorities initiate many activities on invasive alien species, but their effectiveness depends on the policy environment. Policy gaps can lead to ineffective prevention of introductions and can cause obstacles and additional work in carrying out control and eradication activities. Insufficiently developed institutional frameworks can slow down responses to new introductions of alien species and increase management costs. Furthermore, a comprehensive policy is essential for providing sustainable financing for IAS management. This is especially important in the case of control and eradication, which, to be effective, often has to be carried out repeatedly over several years.

To develop concrete recommendations for policymakers, we have extensively reviewed policies² relevant to the management of invasive plants in Bosnia and Herzegovina, Croatia, Slovenia and Serbia.

The baseline questions for our review are:

- Are current policies sufficient to tackle plant invasions?
- Which aspects/topics are covered?
- Are there important gaps in the Legislation and/or strategic documents?
- How is Legislation harmonized across sectors? Is there some mismatch between the sectors?
- Are there examples of good practices which can be used elsewhere?

² In the context of this review, we understand “policy” as any legally binding document on a national, regional or municipal level. These are state or regional acts, implementing regulations and strategies or plans.

A quality legal framework should address all the issues concerning alien species. It should regulate intentional introductions and include mechanisms to prevent unintentional introductions, risk assessments, early warning and rapid response, eradication and control, cooperation, financing and awareness-raising. When not all of these issues are properly addressed, the management of IAS may be inefficient. This can result in extensive environmental and economic damage.

On the basis of our policy review, the partners of project Sava TIES will develop policy recommendations for the management of invasive alien plants. These recommendations will be promoted to relevant policymakers and practitioners through training and policy impact actions.

III THE METHODOLOGY OF THE REVIEW

For this policy review, we checked all legal texts relevant to the management of invasive plants in the countries Bosnia and Herzegovina, Croatia, Slovenia, Serbia, and the European Union. As project Sava TIES focuses only on invasive alien plants and not on other taxonomic groups, the review was also limited to topics relevant to alien plants. While some of the policies are common to all taxonomic groups, others are specific to animals (e.g. animal breeding, fisheries), plant pests or animal diseases and are not part of this review.

In the agreement with the lead partner of Sava TIES Project, EuroNatur, we decided that the review should focus on the following sectors: (i) nature conservation, (ii) agriculture, (iii) forestry, (iv) water protection, (v) spatial planning and (vi) waste management.

The reviewers were requested to check whether the legal text contains any of the following aspects of IAS management: (i) definitions of alien species, (ii) prevention of introductions, (iii) risk assessments, (iv) early warning and rapid response, (v) control, management restoration, (vi) financing, (vii) awareness-raising & capacity building, (viii) national or international cooperation. When some of these aspects are not addressed in any policy, this indicates significant gaps, which we included in the recommendations.

All analysed countries have fairly similar legal frameworks based on the continental legal system, and therefore also the hierarchy of legal norms is the same. All legal norms must conform with the national constitutions. The parliament adopts general acts (or laws), decrees are issued by the Government and the rules by the individual ministers of the Government. Strategic documents (strategies or operational programmes) are adopted by parliaments of governments and provide measures to achieve long term goals.

The project partnership decided that the legal texts which are extracted directly from the regulations will not be translated, as they can be understood by most of the staff and any attempts to translate complex legal text could lead to misinterpretations.

As the review is very extensive, we decided to include a summary and a table summarizing the information for each country and the European Union. We have also included a table which shows how well different aspects are covered in each country and by the European Union.

IV REVIEW OF THE POLICIES AND STAKEHOLDERS

1. BOSNIA AND HERZEGOVINA

1.1. SECTOR: NATURE CONSERVATION

1.1.1. Law on Nature Protection –Federation of BiH

1. English name of the legally binding text:

Law on Nature Protection

2. The original name of the legally binding text:

Zakon o zaštiti prirode

3. National gazette No. where it is published:

“Službene novine Federacije BiH”, broj: 66/13

4. Link to the website:

<http://www.fbihvlada.gov.ba/bosanski/zakoni/> (Official Gazette, No. 66/13)

5. Link to the translated legal text):

-

6. Status of the legal text:

- **National act** (Entity Federation of BiH)
- Regional Act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- **Definitions of alien species**
- **Prevention of introductions**
- **Risk assessments**
- Early warning and rapid response
- **Control, management restoration**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Federal Ministry of Environment and Tourism
Federal Ministry of Agriculture, Water Management and Forestry

9. Summary of the legal text in English:

This Law regulates the competencies of bodies performing:

- nature conservation activities,
- general nature conservation measures,
- acceptability assessment of interventions in nature, habitat types and ecologically significant areas, species and subspecies,
- protection of wild birds,
- protection and conservation of biodiversity, forest ecosystems, karst ecosystems, water and wetland habitats,
- protection of marine and coastal natural values,
- establishment of a European ecological network of specially protected areas - Natura 2000,
- protection measures of species and subspecies,
- international trade in protected wild species and subspecies,
- protection measures for minerals and fossils,
- protected natural values,
- compensation,
- incentive measures,
- concessions on protected natural values and protected natural objects,
- planning and organization,
- inventory and monitoring,
- access to information and public participation,
- nature protection logo,
- promotion of education in nature conservation,
- recognitions and awards for achievements in protection nature,
- financing of nature conservation,
- inspection, surveillance and penalty provision.

10. Your view:

No comments.

11. Articles relevant for IAS management:

Član 8.

...

U ovom Zakonu u upotrebi su pojmovi sa sljedećim značenjem:

- "alohtona vrsta" je strana (neautohtona) vrsta koja prirodno nije egzistirala u određenom ekološkom sistemu nekog područja, nego je u to područje dospjela namjernim ili nenamjernim naseljavanjem;

...

Član 104.

Pravno i fizičko lice koja namjerava uzgajati autohtone odomaćene ili strane divlje vrste/ podvrste dužna je dobiti dozvolu u skladu sa ovim Zakonom ili posebnim propisom.

Ako se u postupku izdavanja dozvole utvrdi da postoji ekološki rizik, Federalno ministarstvo može od podnosioca zahtjeva zatražiti da prije davanja dozvole izradi prethodnu studiju o procjeni rizika radi nadziranja negativnih uticaja na lokalne ekološke sisteme i autohtone odomaćene vrste.

...

Član 77.

Zabranjena je introdukcija (unošenje) stranih vrsta/podvrsta u prirodu na područje Federacije BiH.

Zabranjena je introdukcija alohtonih vrsta riba u prirodne i doprirodne vode, kao i prenošenje takvih vrsta iz ribogojišta u druga vlažna staništa.

Izuzetno, introdukcija iz stava 1. ovoga člana je dopuštena ako je naučno i stručno osnovana i prihvatljiva s gledišta zaštite prirode, stručnog mišljenja naučnog tijela i održivog upravljanja.

Nadležno ministarstvo izdaje dozvolu iz stava 3. ovog člana na osnovu studije o procjeni rizika introdukcije na prirodu, i uz prethodno pribavljenu saglasnost nadležnog ministarstva poljoprivrede, vodoprivrede i šumarstva. Dozvola se daje rješenjem.

Način provođenja procjene rizika i izrade studije procjene rizika uvođenja, ponovnog uvođenja i uzgoja, postupak izdavanja dozvole Federalni ministar će propisati pravilnikom.

Troškove izrade studije i provođenja postupka procjene rizika introdukcije na prirodu snosi pravno ili fizičko lice koje je podnijelo zahtjev za izdavanje dozvole.

Ne smatra se introdukcijom uzgoj alohtonih divljih vrsta/podvrsta u kontroliranim uvjetima koji onemogućavaju unošenje u prirodu.

Član 78.

Radi sprečavanja nenamjernog unošenja alohtonih vrsta/podvrsta na području Federacije BiH, Federalni ministar će, uz saglasnost Federalnog ministra poljoprivrede, vodoprivrede i šumarstva, pravilnikom propisati mjere preventivne zaštite.

Ako dođe do nenamjernog unošenja alohtonih vrsta/podvrsta na područje Federacije BiH, ili ako postoji opravdana sumnja da će doći do takvog unošenja, Federalni ministar će propisati mjere postupanja u cilju uništavanja unešenih ili sprečavanja unošenja novih alohtonih vrsta/podvrsta.

Član 233.

Novčanom kaznom u iznosu od 300 KM do 1200 KM kaznit će se fizičko lice, a pravno lice 1500 KM do 10 000 KM, ako:

...

- prikazuje u zoološkim vrtovima, akvarijima, terarijima ili sličnim prostorima životinje autohtonih odomaćenih ili stranih divljih vrsta/podvrsta bez dozvole ministarstva (čl. 103. st.1.);

- uzgaja zavičajne i alohtone divlje vrste-vrste/podvrste bez dozvole odnosno saglasnosti ministarstva (čl. 104. st.1.);

...

1.1.2. Law on the National park Una – BiH Federation

1. English name of the legally binding text:

Law on the National park Una

2. The original name of the legally binding text:

Zakon o Nacionalnom parku Una

3. National gazette No. where it is published:

“Službene novine Federacije BiH”, broj: 44/08

4. Link to the website:

<http://www.fbihvlada.gov.ba/bosanski/zakoni/> (Official Gazette No. 44/08)

5. Link to the translated legal text:

-

6. Status of the legal text:

- **National Act**
- Regional Act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Federal Ministry of Environment and Tourism

Federal Ministry of Agriculture, Water Management and Forestry

9. Summary of the legal text in English:

This Law establishes the National Park "Una", regulates issues of protection, improvement and use of

Una National Park, the management of the National Park, it prescribes prohibited acts and determines administrative measures for non-compliance with the provisions of this law. Natural values in the National Park area are values of national importance.

Natural values are protected by implementing regulations in accordance with the Nature Protection Act. Important areas for the preservation of cultural heritage are protected in accordance with the Law and regulations on the protection of cultural heritage.

10. Your view:

No comments.

11. Articles relevant for IAS management:

III. ZAŠTITA I RAZVOJ

1. Režimi zaštite

Članak 6.

U području Nacionalnog parka nisu dopušteni zahvati i obavljanje djelatnosti u opsegu i na način koji bi mogao ugroziti ciljeve osnivanja Nacionalnog parka ili nepovoljno utjecati na prirodne vrijednosti u takvoj mjeri da bi se značajno promijenile one karakteristike koje su značajne za njihovo očuvanje, biološku raznolikost i pejzažnu vrijednost.

Posebno je u području Nacionalnog parka zabranjeno:

...

- 2) unositi neautohtone vrste šumskog drveća i grmlja osim za potrebe saniranja erozija ili započetog ozelenjavanja zemljišta
- 3) unositi u vodotoke neautohtone vrste riba i druge neautohtone životinjske vrste;

...

XI. KAZNENE ODREDBE

Članak 26.

Novčanom kaznom od 5.00,00 do 15.000,00 KM kaznit će se za prekršaj pravna osoba ako:

...

- obavlja radnje koje su zabranjene odredbama ovog Zakona; protivno odredbama čl. 6.
- unosi nove vrste oprečno odredbama ovog Zakona (čl. 6, st. 2, točka 2. i 3.);

...

1.1.3. Law declaring the part of the mountain Konjuh as protected landscape "Konjuh" – BiH Federation

1. English name of the legally binding text:

Law declaring the part of the mountain Konjuh as protected landscape "Konjuh"

2. The original name of the legally binding text:

Zakon o proglašenju dijela područja planine Konjuh zaštićenim pejzažom „Konjuh“

3. National gazette No. where it is published:

Zakon o proglašenju dijela područja planine Konjuh Zaštićenim pejzažem „Konjuh“ (Službene novine Tuzlanskog kantona“, broj: 13/09)

Zakon o izmjenama i dopunama Zakona o proglašenju dijela područja planine Konjuh Zaštićenim pejzažom Konjuh (Službene novine TK br. 8/14 u kojem je definisan novi obuhvat u ukupne površine 8.139,7 ha

Zakon o izmjenama i dopunama Zakona o proglašenju dijela područja planine Konjuh Zaštićenim pejzažom Konjuh (Službene novine TK br. 13/17) u kojem se definiše obuhvat na „8.645,34“

4. Link to the website:

<https://www.zpkonjuh.ba/pravilnik.html>

5. Link to the translated legal text:

-

6. Status of the legal text:

- National Act
- **Regional Act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Spatial Planning and Environment protection

Cantonal inspection-Tuzlanski kanton

9. Summary of the legal text in English:

This Law applies to Konjuh (located on the territory of the Tuzla Canton, autonomous district of the Federation of Bosnia and Herzegovina), which is declared and nominated as protected national landscape/wealth "Konjuh". It defines the boundaries and physical limits of the protected area, management and conservation practices, charges and compensation issues, correct use and ownership, and various protection rules.

10. Your view:

-

11. Articles relevant for IAS management:

V. MJERE ZAŠTITE

Član 12. (Mjere zaštite u prvoj zaštićenoj zoni)

U prvoj zaštićenoj zoni (zoni A) mjere zaštite obuhvataju konzervaciju specifičnih prirodnih obilježja, a odnose se na:

...

- zabranu namjernog unošenja invazivnih vrsta,

...

Član 13. (Mjere zaštite u drugoj zaštićenoj zoni)

U drugoj zaštićenoj zoni (zoni B) mjere zaštite obuhvataju očuvanje, unapređenje i zaštitu izvornog stanja, a odnose se na:

...

e) zabranu unošenja invazivnih vrsta,

...

1.1.4. Rules on carrying out risk assessments, report on the risk assessment for the introduction, reintroduction and breeding of alien species and on the process of issuing a permit for introduction of alien species in Federation of Bosnia and Herzegovina

1. English name of the legally binding text:

Rules on carrying out risk assessments, report on the risk assessment for the introduction, reintroduction and breeding of alien species and on the process of issuing a permit for introduction of alien species in Federation of Bosnia and Herzegovina

2. The original name of the legally binding text:

Pravilnik o načinu provođenja procjene rizika i izrade studije procjene rizika uvođenja, ponovnog uvođenje i uzgoja stranih svojti i postupak izdavanja dozvole za unošenje stranih svojti u Federaciju Bosne i Hercegovine

3. National gazette No. where it is published:

“Službene novine Federacije BiH”, broj: 102/15, 78/19

4. Link to the website:

<https://bit.ly/32NPXEE>

5. Link to the translated legal text:

-

6. Status of the legal text:

- National Act
- Regional Act
- **Implementing regulation (FBiH)**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- **Risk assessments**
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Federal Ministry of Environment and Tourism

Federal Ministry of Agriculture, Water Management and Forestry

9. Summary of the legal text in English:

The rules prescribe the manner of preparing and conducting risk assessments and the procedure for issuing permits for the exceptional introduction of wild alien species into nature, the reintroduction of extinct native wild species, and the breeding of wild alien and native species.

10. Your view:

No comment.

11. Articles relevant for IAS management:

II. STUDIJA I PROCJENA RIZIKA

Članak 3.

(Izrada studije)

...

- 3) U slučaju dodatnog uvođenja ili uzgoja nakon razdoblja od pet godina od prvog uvođenja, odnosno dodatnog ponovnog uvođenja nakon razdoblja od deset godina od prvoga ponovnog uvođenja, nova procjena rizika se provodi na temelju prvobitne procjene rizika, uz dopunske procjene mogućih posljedica koje su nastale zbog prvobitnog uvođenja, ponovnog uvođenja ili uzgoja, te uz dopune novim znanstvenim i stručnim spoznajama o biologiji, ekologiji, invazivnosti i dr. karakteristikama svojte.

Članak 8.

(Opis bioloških i ekoloških karakteristika svojte)

Svojta koja se uvodi, ponovno uvodi ili uzgaja mora sadržavati:

...

- c) kada je riječ o uvođenju ili uzgoju, podatak o tome nalazi li se svojta na europskom i/ili nacionalnom popisu invazivnih stranih svojti,

...

1.1.5. The Law On Nature Protection – Republic of Srpska

1. English name of the legally binding text:

The law on nature protection

2. The original name of the legally binding text:

Zakon o zaštiti prirode (Закон о заштити природе)

3. National gazette No. where it is published:

Sl. glasnik RS broj 20/2014

4. Link to the website:

<https://bit.ly/32PL4Lo>

5. Link to the translated legal text:

https://www.vladars.net/sr-SP-Cyrl/Vlada/Ministarstva/mgr/Documents/The%20Law%20on%20Nature%20Protection_302243020.pdf

6. Status of the legal text:

- National Act
- **Regional Act (Republika Srpska)**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- **Definitions of alien species**
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Spatial Planning, Construction and Ecology
 RS Institute for Protection of Cultural and Natural Heritage
 RS Administration for Inspection and units of local government
 and every nature managing body (protected area management authority, forestry agencies etc.)

9. Summary of the legal text in English:

The Nature Protection Act is the principal legal Act regulating the issues relating to EU acquis on:

- nature protection (IUCN classification adopted), such as the
- conservation of species and habitats and
- conservation of wild birds.

The Act also regulates the competence of public authorities which perform the tasks of nature protection, information systems, monitoring, financing, inspection and implementing the measures related to nature protection. The Republic of Srpska has transposed, to a limited degree, a part of EU acquis in the field of environment protection.

10. Your view:

IAS are not a top priority topic in Bosnia and Herzegovina. This Act is a basis for future work in the implementation of EU regulations in the field of environment protection. Making sure that the relevant institutions (in accordance with constitutional or administrative setup) have the necessary capacities for the adequate performance of planning, protection and location management activities and of raising the public awareness; Setting up the arrangement for the effective inclusion and participation in decision-making by all stakeholders (including, among others, all interested public institutions, farmers, landowners, hunters, fishermen, etc.). Although BiH is not yet a member country of the EU, it should harmonize its Legislation with the EU requirements.

11. Articles relevant for IAS management:

Član 6.

a) alohtona vrsta je vrsta koja je u ekosisteme naših područja dospjela namjernim ili nenamjernim unošenjem,

...

n) invazivna vrsta je strana vrsta koja unošenjem i/ili širenjem ugrožava druge vrste i ukupnu biološku raznovrsnost,

nj) introdukcija je namjerno ili nenamjerno unošenje vrste na teritoriju i u ekosisteme u kojima do tada nije živjela,

...

4. Unošenje alohtonih vrsta i reintrodukcija divljih vrsta

Član 35.

(1) Na području Republike nije dozvoljeno unošenje alohtonih divljih vrsta i njihovih hibrida u slobodnu prirodu.

(2) Izuzetno od stava 1. ovog člana, dozvoljava se unošenje alohtonih divljih vrsta i njihovih hibrida u slobodnu prirodu, uz dostavljanje naučnih i stručnih dokaza sa gledišta zaštite prirode i održivog upravljanja, odnosno ako se unošenjem ne ugrožava prirodno stanište autohtonih divljih vrsta.

(3) Ministarstvo izdaje dozvolu iz stava 2. ovog člana na osnovu mišljenja ministarstva nadležnog za poslove poljoprivrede, šumarstva i vodoprivrede i stručnog mišljenja Zavoda.

(4) Ministarstvo izdaje dozvolu za unošenje alohtonih divljih vrsta u kontrolisanim uslovima, po prethodno pribavljenom mišljenju ministarstva nadležnog za poslove poljoprivrede, šumarstva i vodoprivrede, Zavoda ili druge ovlašćene naučne i stručne organizacije da ne postoji opasnost po autohtone vrste, ukoliko dođe do slučajnog ili namjernog bijega primjeraka u slobodnu prirodu Republike.

(5) Uzgajanje, unošenje i korišćenje organizama autohtonih i introdukovanih vrsta za potrebe biološke zaštite bilja vrši se u skladu sa propisima koji regulišu zaštitu zdravlja bilja, na osnovu odobrenja koje izdaje ministarstvo nadležno za poslove poljoprivrede, šumarstva i vodoprivrede, a po prethodno pribavljenoj ocjeni prihvatljivosti, koju izdaje Ministarstvo.

(6) Ocjena prihvatljivosti iz stava 5. ovog člana izrađuje se na osnovu stručnog mišljenja Zavoda i relevantnih naučnih i stručnih dokaza koji se odnose na zaštitu prirode.

(7) Alohtone divlje vrste koje unošenjem i/ili širenjem ugrožavaju druge vrste i ukupnu biološku raznovrsnost na području Republike proglašava invazivnim Ministarstvo, na osnovu opšteprihvaćenih međunarodnih kriterijuma, naučnih saznanja i obaveza preuzetih iz međunarodnih ugovora i međunarodnih dokumenata, na prijedlog Zavoda i drugih stručnih i naučnih institucija, a po prethodno pribavljenom mišljenju ministarstva nadležnog za poslove poljoprivrede, šumarstva i vodoprivrede

(8) Aktom iz stava 7. ovog člana propisuju se mjere kontrole i suzbijanja invazivnih vrsta.

Član 36.

(1) Reintrodukcija divljih vrsta u slobodnu prirodu na području Republike može se vršiti na osnovu dozvole koju izdaje Ministarstvo, uz prethodno pribavljeno mišljenje ministarstva nadležnog za poslove poljoprivrede, šumarstva i vodoprivrede.

(2) Uz zahtjev za izdavanje dozvole iz stava 1. ovog člana, neophodno je dostaviti program reintrodukcije koji izrađuje Zavod u saradnji sa stručnim i naučnim ustanovama i na osnovu sprovedenih istraživanja.

...

Član 97.

...

(1) Novčanom kaznom od 2.000 KM do 15.000 KM kazniće se za prekršaj pravno lice ako:

...

g) unosi alohtone divlje vrste i njihove hibride u slobodnu prirodu i postupa suprotno mjerama kontrole i suzbijanja invazivnih vrsta (član 35),

1.1.2. The Law on National Parks

1. English name of the legally binding text:

The Law on National Parks

2. The original name of the legally binding text:

Zakon o nacionalnim parkovima (Закон о националним парковима)

3. National gazette No. where it is published:

Official Gazette 4/2015-15, 95/2018-267

4. Link to the website:

<https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/zakon/2015/84/2/reg>

5. Link to the translated legal text:

https://www.vladars.net/sr-SP-Cyrl/Vlada/Ministarstva/mgr/Documents/The%20Law%20on%20the%20National%20Parks_302717987.pdf

6. Status of the legal text:

- National Act
- **Regional Act (RS)**

- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Spatial Planning, Construction and Ecology (department of ecology)

RS Institute for Protection of Cultural and Natural Heritage

RS Administration for Inspection and units of local government

National Park – a public institution

9. Summary of the legal text in English:

This Law regulates the importance of protection, development, improvement, management, financing and sustainable use of national parks in the Republic of Srpska. National parks are areas of particular natural value. They have characteristics of ecological, scientific, cultural, historical, educational, health, recreation or tourism significance, which is characterized by the presence of the representative biological, geomorphological, geologic and hydrologic phenomena and processes, habitats and species of particular importance, and the related cultural and historical values. National Parks in the RS are proclaimed by a special law, under the conditions and following the procedure as prescribed by the Law on Nature Protection.

10. Your view:

This Act is not related directly to IAS. It gives only a framework for specific National Parks acts and then for those management plans and action plans.

11. Articles relevant for IAS management:

Član 11.

(1) Na području nacionalnog parka zabranjeno je:

...

b) unositi alohtone vrste biljaka, životinja i gljiva, koje slobodno žive u prirodi, kao i lov divljači, osim sanitarnog i uzgojnog odstrela u zonama utvrđenim posebnim propisima,

1.1.6. Law on National Park Drina – Republic of Srpska

1. English name of the legally binding text:

Law on National Park Drina

2. The original name of the legally binding text:

Zakon o Nacionalnom parku Drina (Закон о Националном парку Дрина)

3. National gazette No. where it is published:

Official Gazette RS No. 63/17

4. Link to the website:

http://www.nasljedje.org/docs/pdf/zakon_o_np_drina.pdf

5. Link to the translated legal text:

-

6. Status of the legal text:

- National Act
- **Regional Act (RS)**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

National Park – a public institution

9. Summary of the legal text in English:

This law is about the proclamation of National Park Drina. This law regulates the borders, zones and protection regimes, management, protection and development of the National Park (protection, development, improvement, management, financing, penal provisions and sustainable use of the National Park).

10. Your view:

This Act is not related directly to IAS. It gives only a framework for National Park Drina for management plans and action plans. It is important that the Act recognizes IAS.

11. Articles relevant for IAS management:

Član 8. U zoni u kojoj se sprovodi zaštita I b stepena zabranjuje se:

...

5) unošenje alohtonih vrsta biljaka, životinja i gljiva,

...

Član 12.

U zoni u kojoj se sprovodi zaštita II stepena zabranjuje se:

1) unošenje divljih alohtonih vrsta biljaka, životinja i gljiva,

1.1.7. Nature protection strategy - Republic of Srpska

1. English name of the legally binding text:

Nature protection strategy (Republic of Srpska)

2. The original name of the legally binding text:

Strategija zaštite prirode Republike Srpske (Стратегија заштите природе Републике Српске)
(entitetski nivo – Republika Srpska, 2011)

3. National gazette No. where it is published:

4. Link to the website:

<http://www.nasljedje.org/prirodno-nasljedje/108-strategija-zastite-prirode-republike-srpske>

5. Link to the translated legal text:

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6. Status of the legal text:

- National Act
- Regional Act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- **Definitions of alien species**
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- **Awareness-raising & capacity building**
- **National or international cooperation**

8. Stakeholders:

Nature protection

Agriculture

Forestry

Water management

Spatial planning

(All those sectors need to harmonize their work with this strategic document.)

9. Summary of the legal text in English:

Under the Law on Nature Protection, the strategy must comply with the inter-entity environmental protection program, i.e. be an integral part of it. A special implementation plan is adopted for the nature protection strategy.

The Nature Protection Strategy of the Republika Srpska determines visions, principles, guidelines for the preservation of the situation, goals and activities for the elimination of harmful consequences for nature, and measures for mitigation of negative consequences.

This document projects the progress and determines the measures of supervision over the parts of the natural and coherent cultural-historical heritage, in which the endangered factors have been identified. The nature strategy is an integral part of the national strategy and action plan for environmental protection and is adopted for a period of six years.

The goals of the Strategy derive from the efforts to realize as much as possible the requirements defined by the Legislation in the field of environmental protection and program documents, which specifically define the goals and measures of nature protection: Environmental Action Plan of BiH (NEAP) and Spatial Plan of the Republic of Srpska until 2015. The field of nature and environmental protection, due to its importance, was taken into account in the development of other strategies, e.g. Agricultural development strategies. The Water Management Framework Plan, the economic policy of the Government of the Republic of Srpska and others, provided that the principles and determinants related to the protection of nature and natural resources in these documents are given in accordance with sectoral priorities.

10. Your view:

This Strategy recognizes problems regarding IAS, and we can find IAS in Strategic goal 1:

MEASURES FOR IMPROVEMENT OF THE SITUATION: Protection of biological, pedological and geodiversity of the Republic of Srpska through strengthening the existing institutional framework for the implementation of effective nature protection measures. **1.5. Monitoring and control of invasive species - Operational objective 1.5: Monitoring and control of invasive species.** To implement this operational goal, Strategy recognizes necessary to implement the following measures:

1.5.1. Inventory and geographical interpretation of invasive species with the establishment of appropriate databases for the territory of Republic of Srpska;

1.5.2. Establishment of scientific and professional cooperation with countries in the region in terms of monitoring invasive species;

1.5.3. Ongoing training and workshops for representatives of economic and state sectors, as well as for the general public;

1.5.4. Adoption of specific invasive species management plans;

1.5.5. Exchange of experiences with responsible institutions in the Federation of BiH;

1.5.6. Making a map of the distribution, assessment of reproductive potential and phenophase of invasive allergenic plants, such as one of the most invasive in the last ten years, *Ambrosia artemisiifolia*.

As we are informed, none of those measures were so far implemented. That is always a problem between acts and practise.

11. Articles, relevant for IAS management:

3.4. FAKTORI UGROŽAVANJA PRIRODE U REPUBLICI SRPSKOJ

...

Osnovni faktori ugrožavanja prirode se ogledaju u:

...

- invazivnim vrstama koje zauzimaju ekološke niše autohtonih vrsta,

...

3.4.1. Faktori ugrožavanja (pritisci) na prirodne i šumske ekosisteme

...

Uticaji na šumarstvo

...

Biodiverzitet urbanih ekosistema (urbane šume) ugrožen je dijelom i od invazivnih vrsta (bagrem, javor negundovac, pajasen).

...

(Tabela 14. Pregled najvažnijih negativnih uticaja na biodiverzitet:

Šumarstvo:

- Uništena šumska staništa često naseljavaju invazivne alohtone vrste kao što je *Amorpha fruticosa* koje formiraju monotipske zajednice veoma siromašne florom i diverzitetom, a pri tome onemogućavaju ponovno naseljavanje autohtonih vrsta.

Planiranje i izgradnja:

- Stvaranje uslova za širenje novih (invazivnih) vrsta i kolonizacije ekosistema.)

...

3.7. PREDVIĐANJE PLANSKIH MJERA ZA POBOLJŠANJE STANJA

...

Da bi se ostvarili navedeni ciljevi, potrebno je obezbijediti mehanizme za realizaciju nekoliko važnih prioritarnih aktivnosti:

- Razvijanje strategije i nacionalnih programa za zaštitu od genetski modifikovanih organizama (GMO) i invazivnih vrsta,

...

Strateški cilj 1:

Zaštita biološkog, pedološkog i geodiverziteta Republike Srpske kroz jačanje postojećeg institucionalnog okvira za realizaciju efikasnih mjera zaštite prirode.

...

1.5. Monitoring i kontrola invazivnih vrsta,

...

Operativni cilj 1.5: Monitoring i kontrola invazivnih vrsta;

Izražena konverzija staništa u prošlosti, te slični trendovi u sadašnjem vremenu, kao i nemogućnost efikasne kontrole prometa reprodukcijom materijala, otvorenost prostora Republike Srpske i BiH i njihova povezanost u svjetsku komunikacionu mrežu, uslovljavaju i kolonizaciju različitih vrsta biljaka, životinja, pa i gljiva iz geografski, klimatski i biogeografski udaljenih prostora. S obzirom na to da su to vrste koje imaju izuzetno visok stepen prilagođavanja na široki spektar ekoloških faktora i u odnosu na autohtoni genofond, one veoma brzo osvajaju sve raspoložive dijelove staništa, pa čak i pomjeraju prirodne vrste i tako doprinose značajnoj ugroženosti autohtonog biodiverziteta i promjeni ukupne slike živog svijeta ovog prostora. Pošto je njihova biološka moć veoma naglašena u

kompeticijskim odnosima sa prirodnim organskim vrstama, one su označene kao invazivne. Da bi se uspostavili efikasni mehanizmi upravljanja invazivnim vrstama i izvršila implementacija ovog operativnog cilja neophodna je i realizacija sljedećih mjera:

1.5.1. Inventarizacija i geografska interpretacija invazivnih vrsta sa uspostavom odgovarajućih baza podataka za prostor Republike Srpske;

1.5.2. Uspostava naučne i stručne saradnje sa zemljama u regionu na planu monitoringa invazivnih vrsta;

1.5.3. Stalni treninzi i radionice kako za predstavnike privrednih i državnih sektora, tako i za ukupnu javnost;

1.5.4. Donošenje konkretnih planova upravljanja invazivnim vrstama:

1.5.5. Razmjena iskustava sa odgovornom institucijama u Federaciji BiH;

1.5.6. Izrada karte rasprostranjenja, procjene reproduktionog potencijala i fenofaze invazivnih alergogenih biljaka, kao što je jedna od najinvazivnijih u posljednjih deset godina, *Ambrosia artemisifolia*.

1.2. SECTOR: AGRICULTURE

After analysing all available legal regulations for all administrative levels for the agriculture sector in the FBiH and the RS, we did not find any legal texts related to IAS.

1.3. SECTOR: FORESTRY

Administratively FBiH is divided into ten cantons. Forestry legislation should be adopted for each canton, but so far, this has only been done for some cantons. After having analyzed all these acts, we didn't find any legal articles related to IAS. Also, the RS, the forestry legislation does not mention IAS. In the RS, a forestry development strategy was adopted, which recognizes IAS as a threat but does not contain any measures to address them.

1.3.1. Forestry development strategy – Republic of Srpska 2011–2021

1. English name of the legally binding text:

Forestry development strategy – Republic of Srpska 2011–2021

2. The original name of the legally binding text:

Strategija razvoja šumarstva Republike Srpske 2011–2021 (Стратегија развоја шумарства Републике Српске 2011-2021)

3. National gazette No. where it is published:

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4. Link to the website:

http://www.urbano-zelenilo.org/wp-content/uploads/Strategija-sumarstva-RS_FINALNO.pdf

5. Link to the translated legal text:

-

6. Status of the legal text:

- National Act
- Regional Act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Forestry agencies and private forest owners protected (forest) areas

9. Summary of the legal text in English:

The development strategy of the Forestry of the Republic of Srpska determines the bases for conducting forest management and governance policy of forests owned by the state and privately owned. The overall purpose of the Strategy is sustainable use of forests from which benefits the whole community in an economic, social and environmental way.

10. Your view:

This strategy recognized threats by IAS – but IAS are not sufficiently in the focus of this strategy and forestry in general.

11. Articles relevant for IAS management:

4.6. Briga o zaštitnim šumama i šumama posebnih namjena

Strateški cilj: 6. Očuvanje zaštitnih šuma i šuma posebnih namjena.

Specifični cilj: 6.1. Povećanje površina šuma zaštićenih prirodnih dobara i šuma visoke zaštitne vrijednosti

Mjere:

...

- Monitoring i kontrola invazivnih vrsta posebno biljaka, insekata i gljiva;

...

Swot analiza za održivi razvoj šumarstva Republike Srpske

EKOLOŠKI POTENCIJALI

PRIJETNJE – Threats

- promjena klimata sa izraženim otopljavanjem i pomjeranje areala autohtonih vrsta te pojava neželjenih invazivnih vrsta;

1.4. SECTOR: WATER MANAGEMENT

After analysing all available legal regulations for all administrative levels for the water management sector in the FBiH we did not find any article relevant for IAS. However, in the RS there are two river management plans adopted, which we summarize below.

1.4.1. Sava River River Basin Management Plan (2017–2021) – Republic of Srpska

1. English name of the legally binding text:

Sava River River Basin Management Plan (2017–2021)

2. The original name of the legally binding text:

Plan upravljanja oblasnim riječnim slivom (distriktom) rijeke Save Republike Srpske (2017-2021) / (план управљања обласним ријечним сливом (дистриктом) ријеке Саве Републике Српске (2017-2021))

3. National gazette No. where it is published:

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4. Link to the website:

<https://bit.ly/32Lnnne>

5. Link to the translated legal text:

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6. Status of the legal text:

- National Act
- Regional Act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- **Definitions of alien species**
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Financing
- **Awareness-raising & capacity building**
- National or international cooperation

8. Stakeholders:

Water management institutions

Ministry of Spatial Planning, Construction and Ecology

9. Summary of the legal text in English:

The Law on Waters defines integrated water management in the Republic of Srpska at the level of the Regional River Basin (District), and also defines the territorial basis of water management and determines the basic unit for water management, which is the Regional River Basin (District). The Republic of Srpska has two regional river basins: Regional River Basin (District) of the Sava River and the Regional River Basin (District) of the Trebišnjica River. This Plan is adopted for the Sava River Basin District.

The regional river basin (district) of the Sava River on the territory of the Republic of Srpska includes a part of the hydrological basin of the Sava River with sub-basins of the rivers: Una, Vrbas, Ukrina, Bosna and Drina, as well as basins of other direct tributaries of the Sava River. The boundaries of the Regional River Basins are defined by a special Act of the Government of the Republic of Srpska.

10. Your view:

Within this policy review, we find this Act the most comprehensive regarding IAS in RS. But the implementation is lacking.

11. Articles relevant for IAS management:

6.7 Sekundarni pritisci

Pored zagađenja površinskih i podzemnih voda, u oblasnom rječnom slivu rijeke Save Republike Srpske identifikovanesu i druge vrste pritisaka kao što je: vodosnabdijevanje, rudnici, lokaliteti za sport i rekreaciju, invazivne vrste i sl.

...

6.7.7 Invazivne vrste

Teritorija Republike Srpske je izložena prodoru invazivnih vrsta koje ugrožavaju domaći biljni i životinjski svijet, dovodeći čak i do izumiranja pojedinih vrsta.

Pod invazivnim vrstama podrazumijevaju se one vrste stranih (alohtonih) biljaka, životinja i gljiva koje potiču iz drugih florno-zoogeografskih oblasti, a u procesu kompeticije potiskuju autohtoni genofond osvajajući raspoložive ekološke niše.

Invazivne vrste na teritoriji cijele Republike Srpske su, do sada, sistemski sagledane samo u okviru pripreme Prvog izvještaja Bosne i Hercegovine za Konvenciju o biološkoj raznolikosti. Kao ključni faktori koji omogućavaju invaziju različitih vrsta biljaka, životinja i gljiva su izdvojeni:

- heterogenost staništa koja mogu pružiti utočište velikom broju invazivnih vrsta sa različitim ekološkim valencama;
- geografska i biogeografska povezanost sa ostalim područjima Evrope;
- hidrološka mreža koja povezuje različita geografska i ekološka područja i omogućava širenje sjemena različitih invazivnih vrsta biljka;
- komunikacijske veze sa drugim dijelovima svijeta, što omogućava širenje različitih invazivnih oblika;
- nedovoljna kontrola pri unosu hortikulturnih biljaka, njihovog sjemena, te sjemenskog i sadnog materijala povrtlarskih, voćarskih i žitarskih kultura; nedovoljna kontrola pri unosu različitih domaćih životinja;
- nekontrolisana urbanizacija bez ekološki prihvatljive i održive infrastrukture, odgovarajuće upravljanje različitim vrstama otpada;
- neizgrađena monitoring mreža praćenja invazivnih vrsta;
- nizak stepen ekološke svijesti o potrebi očuvanja autohtone flore i faune.

Prema međunarodnim standardima razumjevanja invazivnih vrsta i stepenu poznavanja raznolikosti flore, može se tvrditi da je na prostoru Republike Srpske registrovano na desetine invazivnih vrsta. Od invazivnih hortikulturnih vrsta danas su najprisutnije: cigansko perje (*Asclepias syriaca*), čičoka (*Helianthus tuberosus*), velika zlatnica (*Solidago gigantea*), kadifica (*Tagetes minuta*), bagremac/cvitnjača (*Amorpha fruticosa*), bagrem (*Robinia pseudacacia*), vinobojka (*Phytolacca americana*), japanski pridvornik (*Reynoutria japonica*), božije drvo/pajasen (*Ailanthus altissima*), nedarak (*Impatiens glandulifera*). Većina ovih vrsta nastanjuje priobalne pojaseve ravničarskih rijeka, sječine, šumske proplanke i slična staništa.

...

10.4 Potencijalno značajna pitanja upravljanja vodama

Tokom izrade – Plana upravljanja na nivou cijelog hidrološkog sliva rijeke Save analizirana je i mogućnost da se kao značajna pitanja upravljanja razmotre i sljedeća pitanja:

- invazivne strane vrste flore i faune;

...

ANEKS 2: Program mjera

70 Izraditi studiju upravljanja invazivnim vrstama vezanim za vodne resurse (KTM 14)
Studiju pripremiti sa ciljem da se:

- izvrši inventarizacija i utvrdi distribucija invazivnih vrsta;
- izrade odgovarajuće baze podataka i karte;
- izradi akcioni plan upravljanja invazivnim vrstama

Zaduženo: MPUGE (Ministarstvo prostornog uređenja, građevinarstva i ekologije)

1.4.2. Trebišnjica River Basin Management Plan (2017–2021) – Republic of Srpska

1. English name of the legally binding text:

Trebišnjica River Basin Management Plan (2017–2021)

2. The original name of the legally binding text:

Plan upravljanja oblasnim riječnim slivom (distriktom) rijeke Trebišnjice Republike Srpske (2017–2021) / (план управљања обласним ријечним сливом (дистриктом) ријеке Требишњице Републике Српске (2017–2021))

3. National gazette No. where it is published:

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4. Link to the website:

<https://bit.ly/2EUNEr7>

5. Link to the translated legal text:

-

6. Status of the legal text:

- National Act
- Regional Act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- **Definitions of alien species**
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing

- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Water management institutions
Ministry of Spatial Planning, Construction and Ecology

9. Summary of the legal text in English:

It is important to emphasize that the drafting process of the Trebišnjica River Basin Management Plan included harmonization of relations with the Neretva River basin (Adriatic river basin), while fully respecting the fact that the national, legal and institutional framework for water resources management established by the regulations of the entities (the Republic of Srpska and the Federation of Bosnia and Herzegovina), and that management with them is possible only with full respect for the competencies of all public authorities in whose territories the basins are located. More specifically, it was taken into account that the entities in Bosnia and Herzegovina have full (exclusive) competence both for the adoption of water regulations and for the adoption of the river basin management plan. In the case of the Neretva and Trebišnjica basins, this practically means that the entities can only adopt management plans for those parts of the Neretva and Trebišnjica river basins that are located in their areas. For the Republic of Srpska and the Federation of Bosnia and Herzegovina, the fact that there is a legal possibility of harmonizing that part of the basin management plan located on the territory of the Federation of Bosnia and Herzegovina and that part located on the territory of the Republic of Srpska is important.

10. Your view:

This act only recognised IAS but does not contain any provision for the management of IAS.

11. Articles, relevant for IAS management:

6.5.1 Invazivne vrste na teritoriji Oblasnog riječnog sliva (distrikta) rijeke Trebišnjice

Ni prostor Oblasnog riječnog sliva (distrikta) rijeke Trebišnjice nije pošteđen dolaska adventivnih vrsta, gdje pored invazivnih spadaju i različite vrste biljnih genetičkih resursa (povrtlarske, voćarske, žitarice, ornamentalne i kulturne biljne vrste, te različite životinje i gljive).

Mnoge alohtone biljne vrste su pratioci različitih biljnih genetičkih resursa. To su korovi koji se zadržavaju u kulturama, a veoma rijetko izlaze izvan agroekosistema i zauzimaju ekološke niše autohtone flore. Međutim, jedan dio alohtonih vrsta, potpuno prilagođen uslovima lokalnih staništa odavno je izmakao kontroli čovjeka.

Od hortikulturnih vrsta koje su izmakle ljudskoj kontroli, na području su danas najprisutnije: *Asclepias siriaca*, *Helianthus tuberosus*, *Solidago gigantea*, *Tagetes minuta*, *Amorpha fruticosa*, *Robinia pseudacacia*, *Phytolacca americana*, *Reynoutria japonica*, *Ailanthus altissima*, *Impatiens glandulifera*.

Većina ovih vrsta nastanjuje priobalne pojaseve ravničarskih rijeka, sječine, šumske proplanke i slična staništa.

Ove vrste (*Asclepias syriaca*, *Helianthus tuberosus* I *Amorpha fruticosa*) uslovljavaju posebno negativne uticaje na staništima ekosistema higrofilnih šuma vrba, joha i topola.

Higrofilni ekosistemi se danas nalaze pod visokim stepenom ugroženosti od invazivnih vrsta. Dobro aklimatizovane vrste, kao što su *Robinia pseudacacia*, *Ailanthus glandulosa* i *Syringa vulgaris*, danas osvajaju staništa u zoni zajednica hrastovo-grabovih i bukovih šuma na čitavom prostoru Bosne i Hercegovine.

Bagrem čak izgrađuje i posebne antropogene ekosisteme (Smyrnio-Robinietumpseuacaciae). *Ailanthus glandulosa* zauzima i staništa priobalnog pojasa rijeka peripanonskog, brdskog i submediteranskog pojasa. *Syringa vulgaris* je vrsta koja je odavno izbjegla kontrolu čovjeka te osvojila čak i osjetljiva staništa reliktno-refugijalnog karaktera.

Prema međunarodnim standardima poimanja invazivnih vrsta i stepenu spoznaje raznolikosti BiH flore može se tvrditi da je u BiH registrovano na desetine invazivnih vrsta.

1.5. SECTOR: SPATIAL PLANNING

After analysing all available legal regulations for all administrative levels for the spatial planning sector in FBiH and the RS, we didn't find any legal articles related to IAS.

1.6. SECTOR: WASTE MANAGEMENT

After analysing all available legal regulations for all administrative levels for the waste management sector in the FBiH and the RS, we didn't find any legal articles related to IAS.

2. CROATIA

2.1. SECTOR: NATURE CONSERVATION

2.1.1. Act on the Prevention and Management of Introduction and Spread of Alien and Invasive Alien Species

1. English name of the legally binding text:

Act on the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species

Act amending the Act the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species

2. The original name of the legally binding text:

Zakon o sprječavanju unošenja i širenja stranih te invazivnih stranih vrsta i upravljanju njima

Zakon o izmjenama i dopuni zakona o sprječavanju unošenja i širenja stranih te invazivnih stranih vrsta i upravljanju njima

3. National gazette No. where it is published:

Narodne novine broj 15/18, 14/19 pročišćeni tekst zakona na snazi od 15.02.2019.

4. Link to the website:

<https://www.zakon.hr/z/995/Zakon-o-sprjecavanju-unošenja-i-širenja-stranih-te-invazivnih-stranih-vrsta-i-upravljanju-njima>

https://narodne-novine.nn.hr/clanci/sluzbeni/2019_02_14_275.html

5. Link to the translated legal text:

-

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- **Definitions of alien species**
- **Prevention of introductions**
- **Risk assessments**
- **Early warning and rapid response**

- **Control, management restoration**
- **Financing**
- Awareness-raising & capacity building
- **National or international cooperation**

8. Stakeholders:

Ministry of Economy and Sustainable Development, Nature Protection Directorate
Ministry of Economy and Sustainable Development, Institute for Environment and Nature

9. Summary of the legal text in English:

The Act on the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species is the central act which deals with alien species in Croatia. The act deals with both IAS of European union concern and alien species (including those which are invasive) of concern to the Republic of Croatia. It regulates:

- Prevention of introduction of IAS
- Control of the spread of already established IAS
- Mitigation of the impact of IAS on biodiversity, ecosystem services, economy and human health
- Legal frameworks for the placement on the market, growing under controlled conditions and the release of alien species to nature,
- Risk assessments assessment relating to the invasiveness of alien species,
- Identification of alien species of concern in the Republic of Croatia and related restrictions and controls,

The Act also defines a detailed system for the management of invasive alien species in the Republic of Croatia (national monitoring, the establishment of early detection and rapid response systems, a database of alien and invasive alien species in the Republic of Croatia, official controls), competent authorities and their tasks (including inspections).

This law further provides a legal basis for efficient inter-ministerial cooperation, stipulates adequate penalty provisions, and enables the implementation of the Regulation (EU) No 1143/2014 of the European Parliament and of the Council, which entered into force on 1 January 2015.

10. Your view:

Having a dedicated regulation on IAS is an important step forward towards more efficient management. However, in the first years of implementation, several issues were noted: (i) there is an insufficient legal basis for removing alien species on private land, (ii) a bylaw defining invasive alien species (blacklist) has not yet been adopted, (iii) there are issues with interpretation of the ban of keeping in the ZOOs and (iv) a lack of proper regulations regarding the waste management concerning the material of invasive alien species.

11. Articles relevant for IAS management:

Članak 4.

(2) Ostali pojmovi u smislu ovoga Zakona imaju jednako značenje kao pojmovi definirani u Uredbi (EU) br. 1143/2014.

III. POSTUPANJE SA STRANIM VRSTAMA U REPUBLICI HRVATSKOJ

Prevenција i ograničenja

Članak 9.

(1) Zabranjeno je uvođenje stranih vrsta u prirodu i/ili u ekosustave u kojima prirodno ne obitavaju, uzgoj stranih vrsta i njihovo stavljanje na tržište Republike Hrvatske.

(2) Iznimno od stavka 1. ovoga članka, dopušteno je uvođenje stranih vrsta u prirodu i/ili u ekosustave u kojima prirodno ne obitavaju, uzgoj stranih vrsta i njihovo stavljanje na tržište Republike Hrvatske ako ne predstavljaju opasnost za bioraznolikost, usluge ekosustava i/ili zdravlje ljudi, uzimajući u obzir i mogući štetni utjecaj na gospodarstvo kao pogoršavajući čimbenik, što se utvrđuje u postupku ishoda dopuštenja iz članka 12. stavka 1., članka 14. stavka 1. i članka 17. stavka 1. ovoga Zakona.

(3) Za stavljanje na tržište Republike Hrvatske i/ili uzgoj u kontroliranim uvjetima strane vrste koja je navedena na bijeloj listi te uvođenje u prirodu Republike Hrvatske strane vrste koja je na bijeloj listi označena kao vrsta koja se može uvoditi u prirodu, nije potrebno ishoditi dopuštenje Ministarstva.

(4) Posjednik strane vrste dužan je spriječiti bijeg i/ili svako neovlašteno uvođenje strane vrste u prirodu te je odgovoran za štetu koju prouzroči ako do toga dođe, kao i za troškove njezina uklanjanja iz prirode i troškove obnove, po načelu objektivne odgovornosti.

(5) Bijeg i/ili svako neovlašteno uvođenje strane vrste u prirodu smatra se oštećenjem prirode ako se utvrde štetne posljedice za prirodu.

(6) Crnu listu, bijelu listu te popis invazivnih stranih vrsta koje zahtijevaju pojačanu regionalnu suradnju, kriterije za uvrštavanje strane vrste na ove popise, provođenje revizije i ažuriranja popisa te druga pravila postupanja proizašla iz Uredbe (EU) br. 1143/2014 i odgovarajućih provedbenih uredbi, uz prethodno mišljenje članka središnjeg tijela državne uprave nadležnog za poljoprivredu, šumarstvo, lovstvo i ribarstvo, propisuje ministar pravilnikom.

Invazivne strane vrste koje su navedene na crnoj listi

Članak 10. (NN 14/19)

(1) Invazivne strane vrste koje su navedene na crnoj listi ne smije se:

1. unositi na područje Republike Hrvatske, osim u slučajevima provoza pod carinskim nadzorom
2. stavlјati na tržište Republike Hrvatske
3. razmjenјivati
4. držati, uključujući i držanje u kontroliranim uvjetima
5. uzgajati i/ili razmnožavati, uključujući i uzgoj u kontroliranim uvjetima, ili
6. uvoditi u prirodu.

...

(3) S komercijalnim zalihama invazivnih stranih vrsta koje izazivaju zabrinutost u Republici Hrvatskoj postupa se na način propisan člankom 32. Uredbe (EU) br. 1143/2014, u roku od dvije godine od njihova uvrštenja na crnu listu.

(4) Iznimno od stavka 1. ovoga članka, za korištenje invazivnih stranih vrsta koje izazivaju zabrinutost u Republici Hrvatskoj u svrhu istraživanja i proizvodnje medicinskih proizvoda pravna osoba dužna je ishoditi dopuštenje Ministarstva.

(5) Zahtjev za izdavanje dopuštenja iz stavka 4. ovoga članka sadržava:

1. naziv i sjedište podnositelja zahtjeva, osobni identifikacijski broj (OIB), broj telefona i adresu elektroničke pošte te opis djelatnosti koju obavlja podnositelj zahtjeva, što se dokazuje izvatkom iz sudskog registra koji Ministarstvo pribavlja po službenoj dužnosti, te preslikom akta o osnivanju pravne osobe koji dostavlja podnositelj zahtjeva
2. znanstveni naziv invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj na koju se odnosi zahtjev te opis razvojnog stadija ili oblika
3. razloge iz kojih se traži dopuštenje te podatke o planiranim aktivnostima, uključujući očekivane rezultate, opis prirode posla i laboratorijskih postupaka koji će se obavljati u kontroliranim uvjetima, razdoblje u kojem podnositelj zahtjeva namjerava obavljati uporabu u kontroliranim uvjetima invazivne strane vrste iz točke 2. ovoga stavka, i
4. dokaz o postojanju sljedećih kontroliranih uvjeta držanja vrste na koju se odnosi zahtjev:
 - a) namjena prostorija odnosno laboratorija ili proizvodnih odjela u objektima
 - b) kapacitet sustava s kontroliranim uvjetima u odnosu na određeni broj invazivnih stranih vrsta i jedinki
 - c) način na koji su jedinke fizički izolirane i nedostupne neovlaštenim osobama
 - d) uvjeti držanja i postupanja u kontroliranim uvjetima s invazivnom stranom vrstom koja izaziva zabrinutost u Republici Hrvatskoj
 - e) uvjeti transporta do i od sustava s kontroliranim uvjetima invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj
 - f) način upravljanja rizikom od bijega ili širenja ili neovlaštenog uklanjanja invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj
 - g) protokole čišćenja, dezinfekcije, održavanja te rukovanja otpadom (podatke o otpadu koji će se proizvesti, tehnike predviđene za inaktivaciju i uklanjanje otpada na kraju istraživanja te odredište konačnog zbrinjavanja).

(6) Obrazac zahtjeva iz stavka 5. ovoga članka se objavljuje na mrežnoj stranici Ministarstva.

(7) Pravna osoba iz stavka 4. ovoga članka je dužna uz zahtjev podnijeti i druge dokaze o postojanju kontroliranih uvjeta držanja vrste na zahtjev Ministarstva prema ocijenjenoj potrebi svakog pojedinog zahtjeva.

(8) O podnesenom zahtjevu iz stavka 5. ovoga članka Ministarstvo informira javnost i pribavlja mišljenje javnosti na način propisan uredbom iz članka 21. stavka 6. ovoga Zakona.

Članak 11.

(1) Ministarstvo izdaje dopuštenje iz članka 10. stavka 4. ovoga Zakona ako utvrdi da je svrha zahtjeva opravdana te da su osigurani kontrolirani uvjeti držanja i upravljanje rizikom. Dopuštenje se izdaje na rok od pet godina te sadržava uvjete i rok za korištenje invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj te rok za izvješćivanje o provedenoj aktivnosti.

(2) Pravna osoba kojoj je izdano dopuštenje iz članka 10. stavka 4. ovoga Zakona mora za sve vrijeme važenja dopuštenja ispunjavati sve propisane uvjete slijedom kojih joj je dopuštenje izdano.

(3) Pravna osoba kojoj je izdano dopuštenje iz članka 10. stavka 4. ovoga Zakona dužna je izvijestiti Ministarstvo o korištenju invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj.

Dopuštenje za stavljanje na tržište Republike Hrvatske strane vrste

Članak 12. (NN 14/19)

(1) Za stavljanje na tržište Republike Hrvatske strane vrste koja nije navedena na bijeloj listi niti je navedena na crnoj listi, niti je invazivna strana vrsta koja izaziva zabrinutost u Uniji, pravna i fizička osoba dužna je ishoditi dopuštenje Ministarstva.

...

(6) U postupku iz stavka 1. ovoga članka Ministarstvo utvrđuje postojanje ekološkog rizika na osnovi provedene procjene rizika invazivnosti strane vrste ili mišljenja o ekološkom riziku strane vrste.

Članak 13. (NN 14/19)

(1) Ministarstvo izdaje dopuštenje iz članka 12. stavka 1. ovoga Zakona u roku od 60 dana od dana podnošenja urednog zahtjeva ako utvrdi da ne postoji ekološki rizik strane vrste.

(2) Dopuštenje iz članka 12. stavka 1. ovoga Zakona se izdaje do isteka roka valjanosti provedene procjene rizika invazivnosti strane vrste ili mišljenja o nepostojanju ekološkog rizika strane vrste.

(3) Dopuštenje iz članka 12. stavka 1. ovoga Zakona sadržava uvjete za stavljanje na tržište i rok za izvješćivanje o provedenoj aktivnosti.

(4) Pravna i fizička osoba kojoj je izdano dopuštenje iz članka 12. stavka 1. ovoga Zakona dužna je izvijestiti Ministarstvo o stavljanju na tržište strane vrste.

(5) Ako Ministarstvo utvrdi da nije moguće isključiti ekološki rizik strane vrste, rješenjem će odbiti zahtjev iz članka 12. stavka 2. ovoga Zakona, uz napomenu da je za stranu vrstu koja je predmet rješenja moguće pokrenuti procjenu rizika invazivnosti strane vrste.

Uvođenje strane vrste u prirodu Republike Hrvatske

Članak 14. (NN 14/19)

(1) Za uvođenje strane vrste u prirodu Republike Hrvatske koja nije na bijeloj listi označena kao vrsta koja se može uvoditi u prirodu niti je navedena na crnoj listi, niti je invazivna strana vrsta koja izaziva zabrinutost u Uniji, pravna i fizička osoba dužna je ishoditi dopuštenje Ministarstva.

(2) Zahtjev za izdavanje dopuštenja iz stavka 1. ovoga članka sadržava:

...

3. znanstveni naziv strane vrste, broj ili količinu jedinki, podrijetlo jedinki, opis razvojnog stadija ili oblika, a za životinjske vrste i spol te starost jedinki, i

4. opis svrhe i načina uvođenja u prirodu, uključujući vremenski raspored tijekom godine, predviđenu veličinu područja s točnom lokacijom uvođenja te opis razloga planiranog uvođenja u prirodu i objašnjenje zašto se ti ciljevi ne mogu ostvariti korištenjem zavičajnih vrsta.

(3) Zahtjev iz stavka 2. ovoga članka podnosi se za najviše deset stranih vrsta.

...

(6) U postupku iz stavka 1. ovoga članka Ministarstvo utvrđuje postojanje ekološkog rizika na osnovi provedene procjene rizika invazivnosti strane vrste ili mišljenja o ekološkom riziku strane vrste.

...

Članak 16.

(1) Iznimno od članka 14. ovoga Zakona, ako je izdavanje dopuštenja za uvođenje stranih vrsta u prirodu za korištenje u poljoprivredi, šumarstvu, lovstvu i ribarstvu propisano posebnim propisom, to dopuštenje izdaje središnje tijelo državne uprave nadležno za navedena upravna područja, uz prethodnu suglasnost Ministarstva.

(2) Ministarstvo izdaje prethodnu suglasnost, koja može sadržavati uvjete zaštite prirode tamo gdje je to primjenjivo, ako utvrdi da ne postoji ekološki rizik strane vrste.

Dopuštenje za uzgoj strane vrste u kontroliranim uvjetima

Članak 17. (NN 14/19)

(1) Za uzgoj u kontroliranim uvjetima strane vrste koja nije navedena na bijeloj listi niti je navedena na crnoj listi, niti je invazivna strana vrsta koja izaziva zabrinutost u Uniji, pravna i fizička osoba dužna je ishoditi dopuštenje Ministarstva.

(2) Zahtjev za izdavanje dopuštenja iz stavka 1. ovoga članka sadržava:

...

3. znanstveni naziv strane vrste, planirani broj ili količinu matičnih jedinki te opis razvojnog stadija ili oblika, a za životinjske vrste i spol te starost jedinki

4. lokaciju i opis uzgajališta

5. datum planiranog početka uzgoja i

6. dokaz o tome da će se uzgoj provoditi u kontroliranim uvjetima, a osobito sljedeće podatke:

a) kapacitet sustava uzgoja u kontroliranim uvjetima u odnosu na planirani broj jedinki stranih vrsta

b) mjere kojima se onemogućava širenje u prirodu i uklanjanje od strane neovlaštene osobe iz sustava uzgoja u kontroliranim uvjetima

c) uvjeti držanja i postupanje u sustavu uzgoja u kontroliranim uvjetima s jedinkama strane vrste, uključujući i protokole čišćenja, dezinfekcije, održavanja te rukovanja otpadnim materijalom nastalim tijekom uzgoja u kontroliranim uvjetima i tehnike njegove inaktivacije i uklanjanja te odredište konačnog zbrinjavanja

d) uvjeti transporta do i od sustava uzgoja u kontroliranim uvjetima jedinki strane vrste

e) način upravljanja rizikom od bijega ili širenja ili neovlaštenog uklanjanja jedinki strane vrste i

f) opis stalnog sustava nadzora.

(3) Zahtjev iz stavka 2. ovoga članka podnosi se za najviše 20 stranih vrsta.

...

(6) U postupku iz stavka 1. ovoga članka Ministarstvo utvrđuje postojanje ekološkog rizika na osnovi provedene procjene rizika invazivnosti strane vrste ili mišljenja o ekološkom riziku strane vrste.

Članak 18. (NN 14/19)

...

(3) Dopuštenje iz članka 17. stavka 1. ovoga Zakona sadržava uvjete uzgoja i rok za izvješćivanje o provedenoj aktivnosti.

(4) Pravna i fizička osoba kojoj je izdano dopuštenje iz članka 17. stavka 1. ovoga Zakona mora za sve vrijeme važenja dopuštenja ispunjavati sve propisane uvjete slijedom kojih joj je dopuštenje izdano.

(5) Pravna i fizička osoba kojoj je izdano dopuštenje iz članka 17. stavka 1. ovoga Zakona dužna je izvijestiti Ministarstvo o uzgoju strane vrste u kontroliranim uvjetima.

(6) Ako Ministarstvo utvrdi da nije moguće isključiti ekološki rizik strane vrste, rješenjem će odbiti zahtjev iz članka 17. stavka 2. ovoga Zakona, uz napomenu da je za stranu vrstu koja je predmet rješenja moguće pokrenuti procjenu rizika invazivnosti strane vrste.

Članak 19.

(1) Iznimno od članka 17. ovoga Zakona, ako je izdavanje dopuštenja za uzgoj strane vrste u kontroliranim uvjetima za korištenje u lovstvu, ribarstvu i akvakulturi propisano posebnim propisom, to dopuštenje izdaje središnje tijelo državne uprave nadležno za navedena upravna područja, uz prethodnu suglasnost Ministarstva.

(2) Ministarstvo izdaje prethodnu suglasnost, koja može sadržavati uvjete zaštite prirode tamo gdje je to primjenjivo, ako utvrdi da ne postoji ekološki rizik strane vrste.

Procjena rizika invazivnosti strane vrste

Članak 20. (NN 14/19)

(1) Pravna i fizička osoba kojoj je rješenjem Ministarstva odbijen zahtjev za izdavanje dopuštenja iz članka 12. stavka 1., članka 14. stavka 1. i članka 17. stavka 1. ovoga Zakona može od Ministarstva zatražiti pokretanje izrade procjene rizika invazivnosti strane vrste, i to za svaku pojedinu vrstu.

(2) U slučaju iz stavka 1. ovoga članka Ministarstvo izrađuje procjenu rizika invazivnosti strane vrste koja sadržava zaključak procjene u roku do dvije godine od dana primitka urednog zahtjeva iz stavka 1. ovoga članka.

(3) O provedenoj procjeni rizika invazivnosti strane vrste iz stavka 1. ovoga članka Ministarstvo informira javnost i pribavlja mišljenje javnosti na način propisan uredbom iz članka 21. stavka 6. ovoga Zakona.

(4) Ministarstvo, na temelju procjene rizika invazivnosti strane vrste i uzimajući u obzir mišljenje javnosti, postupa u skladu s odredbama iz članka 9. stavka 6., članka 13., članka 15. ili članka 18. ovoga Zakona.

...

Članak 21. (NN 14/19)

(1) Ako Ministarstvo za neku stranu vrstu utvrdi da se radi o stranoj vrsti od potencijalne važnosti za državno područje Republike Hrvatske ili njezina dijela te da ista može zahtijevati mjere na nacionalnoj razini, izradit će procjenu rizika invazivnosti strane vrste ili procjenu rizika u skladu s člankom 5. Uredbe (EU) br. 1143/2014, pri čemu se posebna pozornost treba posvetiti vrstama koje su u širokoj uporabi i koje pružaju znatne društvene koristi u Republici Hrvatskoj.

(2) Ako Ministarstvo utvrdi potrebu uvođenja hitnih mjera za sprječavanje unošenja i širenja invazivnih stranih vrsta sukladno članku 10. Uredbe (EU) br. 1143/2014, izradit će procjenu rizika u skladu s člankom 5. Uredbe (EU) br. 1143/2014.

(3) Troškovi izrade procjene rizika invazivnosti strane vrste iz članka 20. stavka 2. ovoga Zakona te procjene rizika iz stavaka 1. i 2. ovoga članka podmiruju se iz državnog proračuna.

(4) Procjena rizika invazivnosti strane vrste izrađuje se za rok od pet godina.

(5) Po isteku roka valjanosti procjene rizika invazivnosti strane vrste ili prije navedenog roka, ako nadležnom tijelu postanu dostupne nove informacije koje mogu znatno utjecati na rizike za bioraznolikost, usluge ekosustava i/ili zdravlje ljudi, uzimajući u obzir i mogući štetni utjecaj na gospodarstvo kao pogoršavajući čimbenik, provodi se njezina revizija.

(6) Kriterije za utvrđivanje ekološkog rizika strane vrste, način izrade te sadržaj, elemente, načela i metodologiju koja se treba primijeniti u procjeni rizika invazivnosti strane vrste, sadržaj zaključka procjene rizika invazivnosti strane vrste te način pribavljanja mišljenja javnosti u postupku procjene rizika i pri utvrđivanju akata planiranja iz članka 23. ovoga Zakona propisuje Vlada Republike Hrvatske uredbom.

Hitne mjere

Članak 22.

(1) Ministar naredbom određuje mjere postupanja radi sprječavanja unošenja ili širenja strane vrste na područje Republike Hrvatske ili u ekosustave u kojem ona prirodno ne obitava, a posebno invazivne strane vrste koja izaziva zabrinutost u Uniji i/ili invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj, kao i mjere njezina uklanjanja ili iskorjenjivanja.

(2) Ministar naredbom o uvođenju hitnih mjera određuje primjenu bilo kojih ograničenja za invazivnu stranu vrstu koja nije na Unijinu popisu, sukladno odredbi članka 10. Uredbe (EU) 1143/2014.

(3) Ministar naredbom o uklanjanju određuje iskorjenjivanje invazivne strane vrste koja izaziva zabrinutost u Uniji u ranoj fazi invazije, sukladno odredbi članka 17. Uredbe (EU) 1143/2014.

(4) Troškove uklanjanja iz stavka 3. ovoga članka snosi fizička ili pravna osoba koja je prouzročila širenje invazivne strane vrste, odnosno u slučaju kada tu osobu nije moguće utvrditi ili kada se radi o spontanom širenju populacije invazivne strane vrste, troškovi uklanjanja osiguravaju se u državnom proračunu.

(5) Ministarstvo može rješenjem po službenoj dužnosti odrediti mjere radi sprječavanja unošenja ili širenja te uklanjanja strane vrste na području Republike Hrvatske ili u ekosustavima u kojem ona prirodno ne obitava, a posebno invazivne strane vrste koja izaziva zabrinutost u Uniji i/ili invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj.

Akti planiranja za upravljanje invazivnim stranim vrstama

Članak 23. (NN 14/19)

(1) Akcijski plan o kontroli putova nenamjernog unošenja i širenja invazivnih stranih vrsta donosi ministar odlukom, uz prethodno mišljenje čelnika središnjih tijela državne uprave nadležnih za poslove pomorstva, poljoprivrede, biljnog zdravstva, veterinarstva, šumarstva, lovstva i ribarstva, gdje je to primjenjivo, te drugih nadležnih tijela.

(2) Akcijski plan iz stavka 1. ovoga članka, prema potrebi, može se odnositi i na odgovarajuću regionalnu razinu, sukladno odredbi članka 13. stavka 3. Uredbe (EU) br. 1143/2014.

(3) Provedbeni plan sustava nadzora stranih i invazivnih stranih vrsta s pripadajućim protokolima praćenja invazivnih stranih vrsta donosi ministar odlukom, uz prethodno mišljenje čelnika središnjih tijela državne uprave nadležnih za poslove pomorstva, poljoprivrede, šumarstva, lovstva i ribarstva.

(4) Plan upravljanja široko rasprostranjenim invazivnim stranim vrstama u Republici Hrvatskoj donosi ministar odlukom, uz prethodno mišljenje čelnika središnjih tijela državne uprave nadležnih za poslove pomorstva, poljoprivrede, šumarstva, lovstva i ribarstva, gdje je to primjenjivo, te drugih nadležnih tijela.

(5) Plan obnove ekosustava koje je invazivna strana vrsta koja izaziva zabrinutost u Uniji i/ili invazivna strana vrsta koja izaziva zabrinutost u Republici Hrvatskoj oštetila ili uništila donosi ministar odlukom, uz prethodno mišljenje čelnika središnjeg tijela državne uprave nadležnog za poslove poljoprivrede, šumarstva, lovstva i ribarstva.

(6) Plan upravljanja stranim vrstama koje nisu invazivne strane vrste koje izazivaju zabrinutost u Uniji niti invazivne strane vrste koje izazivaju zabrinutost u Republici Hrvatskoj, ali su prisutne i/ili rasprostranjene na području Republike Hrvatske i zahtijevaju donošenje mjera za izbjegavanje daljnjeg unošenja, širenja i/ili suzbijanja tih vrsta, donosi ministar odlukom, uz prethodno mišljenje člника središnjih tijela državne uprave nadležnih za poslove pomorstva, poljoprivrede, šumarstva, lovstva i ribarstva.

(7) Prijedlog plana iz stavaka 1., 3., 4., 5. i 6. ovoga članka izrađuje Ministarstvo, rukovodeći se participativnim pristupom te uzimajući u obzir mišljenja i prijedloge Povjerenstva.

Sustav ranog otkrivanja i brzog odgovora

Članak 24. (NN 14/19)

(1) Ministarstvo uspostavlja i vodi bazu podataka o stranim i invazivnim stranim vrstama u Republici Hrvatskoj.

(2) Baza podataka iz stavka 1. ovoga članka je sastavni dio Informacijskog sustava zaštite prirode.

(3) Baza podataka iz stavka 1. ovoga članka uključuje podatke o prisutnosti i rasprostranjenosti stranih i invazivnih stranih vrsta, procjeni rizika invazivnosti strane vrste, putovima unošenja, mjerama upravljanja i iskorjenjivanja vrsta te dojavama o pojavi novih stranih i invazivnih stranih vrsta.

(4) Nacionalna i međunarodna izvješća, a posebno izvješća iz članka 24. Uredbe (EU) br. 1143/2014, temelje se na podacima iz baze podataka iz stavka 1. ovoga članka.

Članak 25. (NN 14/19)

(1) Ministarstvo uspostavlja i vodi sustav za dojavu te praćenje stranih vrsta koji je sastavni dio baze podataka iz članka 24. stavka 1. ovoga Zakona.

(2) U okviru sustava iz stavka 1. ovoga članka Ministarstvo priprema protokole za dojavu i djelovanje u slučaju pronalaska strane ili invazivne strane vrste te izrađuje planove brzog iskorjenjivanja invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji ili invazivnih stranih vrsta koje izazivaju zabrinutost u Republici Hrvatskoj u ranoj fazi njihove invazije.

...

(4) Ako Ministarstvo utvrdi pojavu strane vrste koja do tada nije zabilježena na području ili dijelu područja Republike Hrvatske, a za koju nije moguće isključiti postojanje ekološkog rizika, ili pojavu invazivne strane vrste koja izaziva zabrinutost u Uniji ili invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj, izrađuje obavijest o nalazu s prijedlogom plana brzog iskorjenjivanja ili prijedlogom plana djelovanja u svrhu kontrole daljnjeg širenja.

(5) Vrstu iz stavka 4. ovoga članka Ministarstvo uključuje u sustav praćenja stranih vrsta iz stavka 1. ovoga članka.

(6) Ako fizička ili bilo koja druga osoba koja zbog prirode svojega posla ili drugih razloga uoči pojavu invazivne strane vrste koja izaziva zabrinutost u Uniji ili invazivne strane vrste koja izaziva zabrinutost u Hrvatskoj, dužna je o tome odmah izvijestiti nadležnog inspektora zaštite prirode ili Ministarstvo.

IV. DOPUŠTENJA I POTVRDE

Sustav dopuštenja za korištenje invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji

Članak 26. (NN 14/19)

(1) Za korištenje invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji, sukladno odredbama članka 8. stavka 1. Uredbe (EU) br. 1143/2014, pravna osoba dužna je ishoditi dopuštenje Ministarstva.

(2) Pravna osoba za ishođenje dopuštenja iz stavka 1. ovoga članka mora ispunjavati minimalno sljedeće uvjete:

1. u sudskom registru imati upisanu odgovarajuću djelatnost, ovisno o vrsti aktivnosti za koju podnosi zahtjev, što se dokazuje izvatkom iz sudskog registra koji Ministarstvo pribavlja po službenoj dužnosti
2. imati odgovornu osobu imenovanu u pravnoj osobi za nadzor i sigurnost te izvršenje dopuštenja za korištenje invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji, kvalificiranu sukladno minimalnim uvjetima propisanim stavkom 3. ovoga članka
3. imati najmanje dva djelatnika, kvalificirana sukladno minimalnim uvjetima propisanim stavkom 4. ovoga članka
4. raspolagati odgovarajućom opremom za obavljanje aktivnosti za koje podnosi zahtjev i
5. raspolagati odgovarajućim prostorom za obavljanje aktivnosti za koje podnosi zahtjev.

(3) Odgovorna osoba iz stavka 2. točke 2. ovoga članka mora biti stalno zaposlena osoba s minimalno akademskim stupnjem doktora znanosti iz područja biologije, biotehničkog, biomedicinskog i/ili drugih srodnih područja, s najmanje tri godine radnog iskustva na odgovarajućim poslovima iz članka 8. stavka 1. Uredbe (EU) br. 1143/2014.

(4) Kvalificirani djelatnici iz stavka 2. točke 3. ovoga članka moraju biti stalno zaposlene osobe sa završenim preddiplomskim i diplomskim sveučilišnim studijem ili integriranim preddiplomskim i diplomskim sveučilišnim studijem, ili specijalističkim diplomskim stručnim studijem iz prirodnog, biotehničkog i/ili biomedicinskog područja s najmanje tri godine radnog iskustva na odgovarajućim poslovima iz članka 8. stavka 1. Uredbe (EU) br. 1143/2014.

(5) Pravna osoba iz stavka 1. ovoga članka mora imati odgovarajuću opremu te odgovarajući radni prostor bilo u svom vlasništvu bilo u zakupu u trajanju propisanom za važenje dopuštenja iz stavka 1. ovoga članka, a u kojemu će obavljati sve potrebne radnje u okviru aktivnosti za koje podnosi zahtjev. Radni prostor mora osigurati i zaštitu od vanjskih utjecaja, uključujući prirodne katastrofe i štete prouzročene ljudskim djelovanjem, te imati propisano postupanje u hitnim situacijama te u slučajevima kada se radi o neovlaštenom pristupu, krađi ili drugim slučajevima gubitka primjeraka invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji.

(6) Zahtjev za izdavanje dopuštenja iz stavka 1. ovoga članka sadržava:

...

4. znanstveni naziv invazivne strane vrste koja izaziva zabrinutost u Uniji na koju se odnosi zahtjev, kako je navedeno u Uredbi (EU) br. 1143/2014, te pripadajuće oznake kombinirane nomenklature, kako je predviđeno u Uredbi Vijeća (EEZ) br. 2658/87 od 23. srpnja 1987. o tarifnoj i statističkoj nomenklaturi i o Zajedničkoj carinskoj tarifi (SL L 256, 7. 9. 1987.)

5. razloge za zatraženo dopuštenje te podatke o istraživačkom projektu, uključujući očekivane rezultate, opis prirode posla i laboratorijskih postupaka koji će se obavljati u kontroliranim uvjetima, razdoblje u kojem podnositelj prijave namjerava obavljati uporabu u kontroliranim uvjetima invazivne strane vrste koja izaziva zabrinutost u Uniji na koju se odnosi zahtjev

6. broj ili količinu jedinki invazivne strane vrste koja izaziva zabrinutost u Unije te dokaz ili podatak o njihovu podrijetlu, opis razvojnog stadija ili oblika, kao i podatke o količini njihova uzgoja gdje je to prikladno

7. podatke o kontroliranim uvjetima:

a) namjena prostorija odnosno laboratorija ili proizvodnih odjela u objektima

- b) kapacitet sustava s kontroliranim uvjetima u odnosu na određeni broj invazivnih stranih vrsta i jedinki
 - c) način obilježavanja ili identificiranja jedinki invazivne strane vrste koja izaziva zabrinutost u Uniji
 - d) način na koji su jedinke fizički izolirane i nedostupne neovlaštenim osobama
 - e) uvjeti držanja i postupanja u kontroliranim uvjetima s invazivnom stranom vrstom koja izaziva zabrinutost u Uniji
 - f) uvjeti transporta do i od sustava s kontroliranim uvjetima invazivne strane vrste koja izaziva zabrinutost u Uniji
 - g) način upravljanja rizikom od bijega ili širenja ili neovlaštenog uklanjanja invazivne strane vrste koja izaziva zabrinutost u Uniji
 - h) opis stalnog sustava nadzora i
 - i) protokole čišćenja, dezinfekcije, održavanja te rukovanja otpadom (podatke o otpadu koji će se proizvesti, tehnike predviđene za inaktivaciju i uklanjanje otpada na kraju istraživanja te određite konačnog zbrinjavanja)
8. plan djelovanja u nepredvidivim okolnostima koji se provodi u slučaju mogućeg bijega ili širenja, uključujući i plan iskorjenjivanja
9. plan mjera i ograničenja potrebnih za ublažavanje rizika od bijega ili širenja vrste iz zahtjeva, na hrvatskom i engleskom jeziku, i
10. dokaze kojima se potvrđuje ispunjavanje uvjeta iz članka 8. stavaka 2. i 3. Uredbe (EU) br. 1143/2014.

...

(11) U postupku iz stavka 1. ovoga članka Ministarstvo utvrđuje ispunjavanje uvjeta iz članka 8. stavaka 2. i 3. Uredbe (EU) br. 1143/2014, a ako tijekom provedbe postupka iz stavka 1. ovoga članka Ministarstvo procjeni potrebnim, zatražit će i mišljenje Povjerenstva.

(12) O podnesenom zahtjevu Ministarstvo informira javnost i pribavlja mišljenje javnosti na način propisan uredbom iz članka 21. stavka 6. ovoga Zakona.

Članak 27. (NN 14/19)

(1) Ministarstvo izdaje dopuštenje za odgovarajuće korištenje invazivne strane vrste koja izaziva zabrinutost u Uniji te odobrava plan djelovanja u nepredvidivim okolnostima iz članka 26. stavka 6. točke 8. ovoga Zakona u roku od 60 dana od dana podnošenja urednog zahtjeva ako utvrdi ispunjenje uvjeta iz članka 8. stavaka 2. i 3. Uredbe (EU) br. 1143/2014 i članka 26. stavaka 2. do 6. ovoga Zakona.

(2) Prilog dopuštenja iz članka 26. stavka 1. ovoga Zakona je potvrda o izdanom dopuštenju, čiji su oblik i sadržaj definirani Provedbenom uredbom Komisije (EU) 2016/145.

(3) Dopuštenje iz članka 26. stavka 1. ovoga Zakona izdaje se na rok do pet godina.

(4) Dopuštenje iz članka 26. stavka 1. ovoga Zakona sadržava uvjete pod kojima se dopušta odgovarajuće korištenje invazivne strane vrste koja izaziva zabrinutost u Uniji, rok za obavljanje aktivnosti i izvješćivanje.

(5) Pravna osoba kojoj je izdano dopuštenje iz članka 26. stavka 1. ovoga Zakona mora za sve vrijeme važenja dopuštenja ispunjavati sve propisane uvjete slijedom kojih joj je dopuštenje izdano.

(6) Pravna osoba kojoj je izdano dopuštenje iz članka 26. stavka 1. ovoga Zakona dužna je izvijestiti Ministarstvo o korištenju invazivne strane vrste koja izaziva zabrinutost u Uniji sukladno odredbama članka 8. stavka 1. Uredbe (EU) br. 1143/2014.

(7) Službene kontrole o usklađenosti s uvjetima iz dopuštenja iz članka 26. stavka 1. ovoga Zakona provode se najmanje jednom godišnje.

(8) Ministarstvo vodi evidenciju o izdanim dopuštenjima iz članka 26. stavka 1. ovoga Zakona, koja sadržava podatke sukladno članku 8. stavku 7. Uredbe (EU) br. 1143/2014. Evidencija je dostupna javnosti putem službene mrežne stranice Ministarstva.

Članak 28. (NN 14/19)

...

(6) Pravna osoba iz stavka 1. ovoga članka Ministarstvu podnosi zahtjev za utvrđivanje velikog javnog interesa, uključujući interese socijalne ili gospodarske prirode, te za izdavanje dopuštenja sukladno odredbama članka 9. stavka 1. Uredbe (EU) br. 1143/2014.

(7) Zahtjev iz stavka 6. ovoga članka sadržava:

1. sve podatke i dokumentaciju navedene u članku 9. stavku 4. Uredbe (EU) br. 1143/2014
2. razloge kojima se opravdava postojanje velikog javnog interesa, uključujući interese socijalne ili gospodarske prirode
3. analizu sagledanih drugih pogodnih mogućnosti kojima je moguće ostvariti svrhu aktivnosti za koju se podnosi zahtjev i
4. dokaze kojima se potvrđuje ispunjavanje uvjeta iz članka 8. stavaka 2. i 3. Uredbe (EU) br. 1143/2014.

...

(14) Ako Ministarstvo utvrdi, uzimajući u obzir mišljenje iz stavka 10. ovoga članka i mišljenje javnosti iz stavka 12. ovoga članka, da nisu ispunjeni uvjeti iz članka 8. stavaka 2. i 3. Uredbe (EU) br. 1143/2014 ili da ima drugih pogodnih mogućnosti kojima je moguće ostvariti svrhu aktivnosti, rješenjem će odbiti zahtjev iz stavka 7. ovoga članka.

(15) Ako Ministarstvo utvrdi da su, uzimajući u obzir mišljenje iz stavka 10. ovoga članka i mišljenje javnosti iz stavka 12. ovoga članka, ispunjeni uvjeti iz članka 8. stavaka 2. i 3. Uredbe (EU) br. 1143/2014 te da nema drugih pogodnih mogućnosti kojima je moguće ostvariti svrhu aktivnosti iz članka 9. stavka 1. Uredbe (EU) br. 1143/2014, dostavlja zahtjev iz stavka 7. ovoga članka i prijedlog odluke o utvrđivanju velikog javnog interesa, uključujući interese socijalne ili gospodarske prirode, Vladi Republike Hrvatske u roku od 30 dana od dana zaprimanja mišljenja iz stavka 10. i 12. ovoga članka.

(16) Odluku iz stavka 16. ovoga članka donosi Vlada Republike Hrvatske.

(17) Ako Vlada Republike Hrvatske donese odluku iz stavka 16. ovoga članka, Ministarstvo će dostaviti tu odluku, zahtjev iz stavka 7. ovoga članka, mišljenje iz stavka 10. te mišljenje javnosti iz stavka 12. ovoga članka Europskoj komisiji na odobrenje sukladno članku 9. stavku 3. Uredbe (EU) br. 1143/2014.

Članak 29.

...

(7) Službene kontrole o usklađenosti s uvjetima iz dopuštenja iz članka 28. stavka 1. ovoga Zakona provode se najmanje jednom godišnje.

(8) Ministarstvo vodi evidenciju o izdanim dopuštjenjima iz članka 28. stavka 1. ovoga Zakona, koja sadržava podatke sukladno članku 8. stavku 7. Uredbe (EU) br. 1143/2014. Evidencija je dostupna javnosti putem službene mrežne stranice Ministarstva.

Postupovne odredbe

Članak 30.

...

(4) Ministarstvo će odbaciti zahtjev za izdavanjem dopuštjenja temeljem uredbi iz članka 2. stavka 2. i odredbi ovoga Zakona ako se utvrdi da je zahtjev podnesen nakon što je postupanje na koje se zahtjev odnosi već započelo.

...

(7) Dopuštjenje iz članka 10. stavka 4., članka 12. stavka 1., članka 14. stavka 1., članka 17. stavka 1., članka 26. stavka 1. i članka 28. stavka 1. ovoga Zakona, potvrda iz članka 8. stavka 6. Uredbe (EU) br. 1143/2014 te rješenje iz članka 22. stavka 5. ovoga Zakona smiju se koristiti samo za vrste za koje su izdani.

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Ukidanje dopuštjenja

Članak 32.

Ministarstvo će rješenjem ukinuti, u cijelosti ili djelomično, dopuštjenje iz članka 10. stavka 4., članka 12. stavka 1., članka 14. stavka 1., članka 17. stavka 1., članka 26. stavka 1. i članka 28. stavka 1. ovoga Zakona u slučaju nepridržavanja njima propisanih uvjeta ili nastanka nepredviđenih događaja s negativnim učincima na bioraznolikost, usluge ekosustava, gospodarstvo i/ili zdravlje ljudi.

V. POSTUPANJE S ROBOM KOJA JE ILI SADRŽAVA INVAZIVNE STRANE VRSTE

Granični prijelazi za prekogranični promet

Članak 33.

Prekogranični promet invazivnim stranim vrstama na koje se odnose odredbe Uredbe (EU) br. 1143/2014 i ovoga Zakona dopušten je samo preko onih graničnih prijelaza koji su posebnim propisima određeni za prekogranični promet robe koja podliježe veterinarskom ili fitosanitarnom pregledu.

Postupanje pri unošenju iz trećih zemalja

Članak 34.

(1) Radi sprječavanja namjernog unošenja u Uniju invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji, prilikom službenih kontrola pri unošenju robe iz trećih zemalja, nadležna tijela iz članka 41. ovoga Zakona u skladu s člankom 15. Uredbe (EU) br. 1143/2014 provjeravaju da li ista je ili sadržava invazivne strane vrste koje izazivaju zabrinutost u Uniji odnosno pripadaju li kategoriji robe obuhvaćene oznakama kombinirane nomenklature na koju je upućeno na Unijinu popis u skladu s člankom 4. stavkom 5. Uredbe (EU) br. 1143/2014.

(2) Radi sprječavanja namjernog unošenja u Republiku Hrvatsku invazivnih stranih vrsta koje izazivaju zabrinutost u Republici Hrvatskoj, prilikom službenih kontrola pri unošenju robe iz trećih zemalja, nadležna tijela iz članka 41. ovoga Zakona provjeravaju da li ista je ili sadržava invazivne strane vrste koje izazivaju zabrinutost u Republici Hrvatskoj.

(3) Ako se s robom iz stavaka 1. i 2. ovoga članka postupa u suprotnosti s odredbama Uredbe (EU) br. 1143/2014 i/ili odredbama ovoga Zakona, ovlašteni carinski službenik, granični veterinarski inspektor ili fitosanitarni inspektor, postupajući u skladu s člankom 15. stavkom 5. Uredbe (EU) br. 1143/2014, donosi rješenje o vraćanju robe u treću zemlju podrijetla ili utovara pošiljke.

(4) Ako se ne postupi u skladu sa stavkom 3. ovoga članka, ovlašteni carinski službenik, granični veterinarski inspektor ili fitosanitarni inspektor donosi rješenje o uništenju robe u najbližem za to odobrenom objektu, u skladu s posebnim propisima.

(5) Ako se roba iz stavaka 1. i 2. ovoga članka uništava, uništenje se provodi na trošak osobe od koje je roba oduzeta, osobe koja unosi robu u Uniju ili Republiku Hrvatsku ili vlasnika robe.

(6) Troškove provjere, uništenja i/ili povrata robe dužna je podmiriti osoba od koje je roba oduzeta, osoba koja unosi robu u Uniju ili Republiku Hrvatsku ili vlasnik robe odmah, a najkasnije u roku od osam dana od dana dostave odluke o povratu ili uništenju, a u protivnom će se ti troškovi naplatiti prisilno.

...

Premještanje unutar Unije i Republike Hrvatske

Članak 36.

(1) Svaku robu koja je i/ili sadržava invazivnu stranu vrstu koja izaziva zabrinutost u Uniji, a koja se otprema u drugu državu članicu ili se doprema iz druge države članice u Republiku Hrvatsku ili koja se premješta unutar Republike Hrvatske, osim važećeg dopuštenja države članice iz članka 8. stavka 1. ili članka 9. stavka 1. Uredbe (EU) br. 1143/2014, mora pratiti i odgovarajuća važeća potvrda iz članka 8. stavka 6. Uredbe (EU) br. 1143/2014 koju je izdalo nadležno tijelo.

(2) Svaku robu koja je i/ili sadržava invazivnu stranu vrstu koja izaziva zabrinutost u Republici Hrvatskoj, a koja se doprema iz druge države članice u Republiku Hrvatsku ili koja se premješta unutar Republike Hrvatske, mora pratiti i odgovarajuće važeće dopuštenje iz članka 10. stavka 4. ovoga Zakona.

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Determinacija strane vrste

Članak 37. (NN 14/19)

(1) Obveza je osobe koja unosi u Uniju ili je posjednik strane vrste dokazati taksonomsku pripadnost predmetne vrste, kao i taksonomsku pripadnost kategorija robe obuhvaćenih oznakama kombinirane nomenklature na koju je upućeno na Unijinu popis.

...

VI. NADZOR

Službene kontrole

Članak 41. (NN 14/19)

(1) Ovlašteni carinski službenici u skladu s odredbama posebnog propisa kojim se uređuju djelokrug i ovlasti carinske službe te ovoga Zakona provjeravaju prekogranični promet i zatečenu robu pri carinskoj kontroli u unutarnjem prometu koja je invazivna strana vrsta i/ili sadržava invazivne strane vrste koje izazivaju zabrinutost u Uniji i s njima povezanih kategorija robe obuhvaćene oznakama kombinirane nomenklature na koju je upućeno na Unijinu popis, te koje jesu invazivne strane vrste koje izazivaju zabrinutost u Republici Hrvatskoj.

(2) Inspektori zaštite prirode u skladu s ovlastima propisanim propisom kojim se uređuje rad Državnog inspektorata te sukladno odredbama ovoga Zakona obavljaju službene kontrole u dijelu koji se odnosi na kontrolu uzgoja, uvođenja u prirodu i stavljanja na tržište stranih vrsta, kao i držanja u nekomercijalne svrhe te korištenja invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji i/ili invazivnih stranih vrsta koje izazivaju zabrinutost u Republici Hrvatskoj.

(3) Službene kontrole nad primjenom Uredbe (EU) br. 1143/2014 i ovoga Zakona, svatko u okviru svoga djelokruga i u granicama svojih ovlasti propisanih posebnim propisima, obavljaju i:

...

2. fitosanitarni inspektori na mjestima ulaska u skladu s odredbama propisa kojim se uređuje rad Državnog inspektorata, posebnog propisa kojim se uređuje biljno zdravstvo, kao i propisa donesenih na temelju toga propisa te ovoga Zakona

3. šumarski inspektori u skladu s odredbama propisa kojim se uređuje rad Državnog inspektorata, posebnog propisa kojim se uređuje gospodarenje šumama, kao i propisa donesenih na temelju toga propisa te ovoga Zakona, u dijelu koji se odnosi na neovlašteno uvođenje stranih vrsta u prirodu, invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji i invazivnih stranih vrsta koje izazivaju zabrinutost u Republici Hrvatskoj

...

VII. PREKRŠAJNE ODREDBE

Prekršajne odredbe

Članak 43.

(1) Novčanom kaznom u iznosu od 100.000,00 do 500.000,00 kuna kaznit će se za prekršaj pravna osoba koja:

1. uvodi strane vrste u prirodu i/ili u ekosustave u kojima prirodno ne obitavaju, uzgaja strane vrste i stavlja na tržište Republike Hrvatske strane vrste bez dopuštenja iz članka 12. stavka 1., članka 14. stavka 1. i članka 17. stavka 1. ovoga Zakona, a time nanese štetu prirodi koja nije znatna ili trajna (članak 9. stavak 2.)

2. koristi invazivnu stranu vrstu koja izaziva zabrinutost u Uniji bez dopuštenja ili protivno uvjetima iz dopuštenja iz članka 26. stavka 1. ovoga Zakona (članak 26. stavak 1.)

3. koristi invazivnu stranu vrstu koja izaziva zabrinutost u Uniji bez dopuštenja ili protivno uvjetima iz dopuštenja iz članka 28. stavka 1. ovoga Zakona (članak 28. stavak 1.)

4. svaku robu koja je i/ili sadržava invazivnu stranu vrstu koja izaziva zabrinutost u Uniji otprema u drugu državu članicu ili doprema iz druge države članice u Republiku Hrvatsku ili premješta unutar Republike Hrvatske bez važeće potvrde iz članka 8. stavka 6. Uredbe (EU) br. 1143/2014 koju je izdalo nadležno tijelo (članak 36. stavak 1.)

5. invazivnu stranu vrstu koja izaziva zabrinutost u Uniji namjerno unosi na područje Republike Hrvatske, uključujući provoz pod carinskim nadzorom i/ili drži, uključujući u zatvorenim sustavima i/ili uzgaja, uključujući u zatvorenim sustavima i/ili prevozi u, iz ili unutar Republike Hrvatske, osim ako je riječ o transportu vrste u objekte za iskorjenjivanje i/ili stavlja na tržište i/ili upotrebljava ili razmjenjuje i/ili omogućuje da se razmnožavaju, uključujući u zatvorenim sustavima i/ili pušta u okoliš (članak 7. stavak 1. Uredbe (EU) br. 1143/2014)

6. ne postupi s komercijalnim zalihama invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji na način propisan člankom 32. Uredbe (EU) br. 1143/2014 (članak 32. stavak 1. Uredbe (EU) br. 1143/2014).

(2) Novčanom kaznom u iznosu od 15.000,00 do 50.000,00 kuna kaznit će se za prekršaj iz stavka 1. ovoga članka fizička osoba i odgovorna osoba u pravnoj osobi.

(3) Novčanom kaznom od 60.000,00 do 150.000,00 kuna kaznit će se i fizička osoba obrtnik i osoba koja obavlja drugu samostalnu djelatnost koja je prekršaj iz stavka 1. ovoga članka počinila u vezi s obavljanjem njezina obrta ili druge samostalne djelatnosti.

Članak 44.

(1) Novčanom kaznom u iznosu od 25.000,00 do 200.000,00 kuna kaznit će se za prekršaj pravna osoba koja:

1. kao posjednik strane vrste ne spriječi bijeg i/ili svako neovlašteno uvođenje strane vrste u prirodu (članak 9. stavak 4.)
2. invazivnu stranu vrstu koja izaziva zabrinutost u Republici Hrvatskoj unosi na područje Republike Hrvatske, osim u slučajevima provoza pod carinskim nadzorom, i/ili stavlja na tržište Republike Hrvatske i/ili razmjenjuje i/ili drži, uključujući i držanje u kontroliranim uvjetima i/ili uzgaja i/ili razmnožava, uključujući i uzgoj u kontroliranim uvjetima i/ili uvodi u prirodu (članak 10. stavak 1.)
3. s komercijalnim zalihama invazivnih stranih vrsta koje izazivaju zabrinutost u Republici Hrvatskoj ne postupi na način propisan člankom 32. Uredbe (EU) br. 1143/2014 (članak 10. stavak 3.)
4. koristi invazivnu stranu vrstu koja izaziva zabrinutost u Republici Hrvatskoj u svrhu istraživanja i proizvodnje medicinskih proizvoda bez dopuštenja ili protivno uvjetima iz dopuštenja iz članka 10. stavka 4. (članak 10. stavak 4.)
5. stavlja na tržište Republike Hrvatske stranu vrstu koja nije navedena na bijeloj listi niti je navedena na crnoj listi, niti je invazivna strana vrsta koja izaziva zabrinutost u Uniji, protivno uvjetima iz dopuštenja iz članka 12. stavka 1. (članak 12. stavak 1.)
6. uvodi u prirodu Republike Hrvatske stranu vrstu koja nije na bijeloj listi označena kao vrsta koja se može uvoditi u prirodu niti je navedena na crnoj listi, niti je invazivna strana vrsta koja izaziva zabrinutost u Uniji, protivno uvjetima iz dopuštenja iz članka 14. stavka 1. (članak 14. stavak 1.)
7. uzgaja u kontroliranim uvjetima stranu vrstu koja nije navedena na bijeloj listi niti je navedena na crnoj listi, niti je invazivna strana vrsta koja izaziva zabrinutost u Uniji, protivno uvjetima iz dopuštenja iz članka 17. stavka 1. (članak 17. stavak 1.)
8. koristi dopuštenje iz članka 10. stavka 4., članka 12. stavka 1., članka 14. stavka 1., članka 17. stavka 1., članka 26. stavka 1. i članka 28. stavka 1. ovoga Zakona, potvrdu iz članka 8. stavka 6. Uredbe (EU) br. 1143/2014 ili rješenje iz članka 22. stavka 5. ovoga Zakona za bilo koju drugu vrstu koja nije vrsta za koju je dopuštenje, rješenje ili potvrda izdana (članak 30. stavak 7.)
9. obavlja unos iz trećih zemalja u Republiku Hrvatsku invazivne strane vrste koja izaziva zabrinutost u Uniji bez obvezne službene kontrole i važećeg dopuštenja države članice iz članka 8. stavka 1. ili članka 9. stavka 1. Uredbe (EU) br. 1143/2014 i odgovarajuće važeće potvrde iz članka 8. stavka 6. Uredbe (EU) br. 1143/2014 koju je izdalo nadležno tijelo (članak 35. stavak 1.)
10. obavlja unos iz trećih zemalja u Republiku Hrvatsku invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj bez obvezne službene kontrole i važećeg dopuštenja iz članka 10. stavka 4. ovoga Zakona (članak 35. stavak 2.)

11. obavlja dopremu iz druge države članice u Republiku Hrvatsku ili premještaj unutar Republike Hrvatske robe koja je i/ili sadržava invazivnu stranu vrstu koja izaziva zabrinutost u Republici Hrvatskoj bez odgovarajućeg važećeg dopuštenja iz članka 10. stavka 4. ovoga Zakona (članak 36. stavak 2.).

(2) Novčanom kaznom u iznosu od 7000,00 do 30.000,00 kuna kaznit će se za prekršaj iz stavka 1. ovoga članka fizička osoba i odgovorna osoba u pravnoj osobi.

(3) Novčanom kaznom od 10.000,00 do 50.000,00 kuna kaznit će se i fizička osoba obrtnik i osoba koja obavlja drugu samostalnu djelatnost koja je prekršaj iz stavka 1. ovoga članka počinila u vezi s obavljanjem njezina obrta ili druge samostalne djelatnosti.

Članak 45.

(1) Novčanom kaznom u iznosu od 15.000,00 do 25.000,00 kuna kaznit će se za prekršaj pravna osoba koja:

1. kao posjednik životinje koja se ne drži u komercijalne svrhe, a pripada invazivnoj stranoj vrsti koja izaziva zabrinutost u Republici Hrvatskoj, nabavi istu nakon njezina uvrštenja na popis invazivnih stranih vrsta koje izazivaju zabrinutost u Republici Hrvatskoj i/ili ne drži tu životinju u kontroliranim uvjetima i/ili nije poduzeo sve potrebne mjere kako bi se onemogućilo njezino razmnožavanje ili bijeg (članak 10. stavak 2.)

2. postupi suprotno naredbi ministra kojom se određuju mjere postupanja radi sprječavanja unošenja ili širenja strane vrste na područje Republike Hrvatske ili u ekosustave u kojem ona prirodno ne obitava, a posebno invazivne strane vrste koja izaziva zabrinutost u Uniji i/ili invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj, kao i mjere njezina uklanjanja ili iskorjenjivanja (članak 22. stavak 1.)

3. postupi suprotno naredbi ministra o uvođenju hitnih mjera kojom se određuje primjena bilo kojih ograničenja za invazivnu stranu vrstu koja nije na Unijinu popisu, sukladno odredbi članka 10. Uredbe (EU) br. 1143/2014 (članak 22. stavak 2.)

4. postupi suprotno naredbi ministra o uklanjanju kojom se određuje iskorjenjivanje invazivne strane vrste koja izaziva zabrinutost u Uniji u ranoj fazi invazije, sukladno odredbi članka 17. Uredbe (EU) br. 1143/2014 (članak 22. stavak 3.)

5. postupi suprotno rješenju Ministarstva kojim se po službenoj dužnosti određuju mjere radi sprječavanja unošenja ili širenja te uklanjanja strane vrste na području Republike Hrvatske ili u ekosustavima u kojem ona prirodno ne obitava, a posebno invazivne strane vrste koja izaziva zabrinutost u Uniji i/ili invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj (članak 22. stavak 5.)

6. kao posjednik životinje koja se ne drži u komercijalne svrhe, a pripada invazivnoj stranoj vrsti koja izaziva zabrinutost u Uniji, nabavi istu nakon njezina uvrštenja na popis invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji i/ili ne drži tu životinju u kontroliranim uvjetima i/ili ne poduzme sve potrebne mjere kako bi se onemogućilo njezino razmnožavanje ili bijeg (članak 31. stavak 1. Uredbe (EU) br. 1143/2014).

(2) Novčanom kaznom u iznosu od 5000,00 do 20.000,00 kuna kaznit će se za prekršaj iz stavka 1. ovoga članka fizička osoba i odgovorna osoba u pravnoj osobi.

(3) Novčanom kaznom od 6000,00 do 25.000,00 kuna kaznit će se i fizička osoba obrtnik i osoba koja obavlja drugu samostalnu djelatnost koja je prekršaj iz stavka 1. ovoga članka počinila u vezi s obavljanjem njezina obrta ili druge samostalne djelatnosti.

Članak 46.

(1) Novčanom kaznom u iznosu od 2000,00 do 7000,00 kuna kaznit će se za prekršaj pravna osoba koja:

1. ne izvijestiti Ministarstvo o korištenju invazivne strane vrste koja izaziva zabrinutost u Republici Hrvatskoj temeljem dopuštenja iz članka 10. stavka 4. ovoga Zakona (članak 11. stavak 3.)
2. ne izvijesti Ministarstvo o stavljanju na tržište strane vrste temeljem dopuštenja iz članka 12. stavka 1. ovoga Zakona (članak 13. stavak 4.)
3. ne izvijesti Ministarstvo o uvođenju u prirodu strane vrste temeljem dopuštenja iz članka 14. stavka 1. ovoga Zakona (članak 15. stavak 4.)
4. ne izvijesti Ministarstvo o uzgoju u kontroliranim uvjetima strane vrste temeljem dopuštenja iz članka 17. stavka 1. ovoga Zakona (članak 18. stavak 5.)
5. ne izvijesti Ministarstvo o korištenju invazivne strane vrste koja izaziva zabrinutost u Uniji sukladno odredbama članka 8. stavka 1. Uredbe (EU) br. 1143/2014 (članak 27. stavak 6.)
6. ne izvijesti Ministarstvo o korištenju invazivne strane vrste koja izaziva zabrinutost u Uniji sukladno odredbama članka 9. stavka 1. Uredbe (EU) br. 1143/2014 (članak 29. stavak 6.).

(2) Novčanom kaznom u iznosu od 500,00 do 1000,00 kuna kaznit će se za prekršaj iz stavka 1. ovoga članka fizička osoba i odgovorna osoba u pravnoj osobi.

(3) Novčanom kaznom od 1000,00 do 5000,00 kuna kaznit će se i fizička osoba obrtnik i osoba koja obavlja drugu samostalnu djelatnost koja je prekršaj iz stavka 1. ovoga članka počinila u vezi s obavljanjem njezina obrta ili druge samostalne djelatnosti.

Članak 47.

(1) Pravna i odgovorna osoba u pravnoj osobi te fizička osoba kod koje se zatekne u posjedu roba, odnosno koja kupi, proda, preda drugom, primi na dar, prikrije, primi na čuvanje ili na prijevoz, upotrijebi ili primi po bilo kojoj drugoj osnovi robu za koju zna ili je prema okolnostima slučaja mogla znati da je riječ o robi koja je predmet prekršaja iz članka 43. stavka 1. točaka 2. do 6. i članka 44. stavka 1. točaka 3. do 8. ovoga Zakona, kaznit će se kao da je sama počinila prekršaj, istom kaznom koja je propisana za počinitelja prekršaja.

(2) Fizička osoba obrtnik i osoba koja obavlja drugu samostalnu djelatnost ako je prekršaj iz stavka 1. ovoga članka počinila u vezi s obavljanjem njezina obrta ili druge samostalne djelatnosti, kaznit će se kao da je sama počinila prekršaj, istom kaznom koja je propisana za počinitelja prekršaja.

(3) Roba iz stavaka 1. i 2. ovoga članka oduzima se bez obzira na prava trećih osoba.

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2.1.2. Nature Protection Act

1. English name of the legally binding text:

Nature Protection Act

2. The original name of the legally binding text:

Zakon o zaštiti prirode

3. National gazette No. where it is published:

Narodne novine broj 80/13, 15/18, 14/19, 127/19 na snazi od 04.01.2020.

4. Link to the website:

<https://www.zakon.hr/z/403/Zakon-o-zaštiti-prirode>

5. Link to the translated legal text:

Not applicable.

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Economy and Sustainable Development, Nature Protection Directorate
Ministry of Economy and Sustainable Development, Institute for Environment and Nature

9. Summary of the legal text in English:

The purpose of this Act is to regulate the system of protection and integrated conservation of nature and its values. Until 2018, this was the main act which dealt with the introduction of alien species to nature and their possible impact on biodiversity.

A separate act on IAS (see the previous chapter) came into force in 2018 to implement the new Regulation on IAS at the EU level (No 1143/2014). This separate act incorporates the provisions of the EU Regulation into the Croatian legislation and regulates specific IAS issues.

10. Your view:

Nature protection conditions prescribed by the Ministry of Economy and Sustainable Development based on this law complicate the eradication of IAS.

11. Articles relevant for IAS management:

Članak 68. (NN 15/18)

Brisan, ali vidi: [Zakon o sprječavanju unošenja i širenja stranih te invazivnih stranih vrsta i upravljanju njima](#)

Članak 196. (NN 14/19)

(2) Informacijski sustav zaštite prirode sadrži podatke i informacije o bioraznolikosti i zaštiti prirode, a osobito podatke o divljim vrstama, stranim invazivnim vrstama, stanišnim tipovima i ekološkim sustavima, zaštićenim područjima, područjima ekološke mreže, georaznolikosti, speleološkim objektima te druge stručne i znanstvene podatke.

2.1.3. Ordinance on alien species that may be placed on the market and invasive alien species

1. English name of the legally binding text:

Ordinance on alien species that may be placed on the market and invasive alien species

2. The original name of the legally binding text:

Pravilnik o stranim vrstama koje se mogu stavljati na tržište te invazivnim stranim vrstama

3. National gazette No. where it is published:

Narodne novine broj 17/17 na snazi od 24. 02. 2017.

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2017_02_17_404.html

5. Link to the translated legal text:

Not available.

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Economy and Sustainable Development, Nature Protection Directorate
Ministry of Economy and Sustainable Development, Institute for Environment and Nature

9. Summary of the legal text in English:

This is the main act that provides the national "white list" of alien species which do not represent an environmental risk in the Republic of Croatia. In the future, it will also include a "blacklist" of IAS, which cause concern in the Republic of Croatia.

10. Your view:

No comments.

11. Articles relevant for IAS management:

Članak 1.

(1) Ovim pravilnikom propisuju se strane vrste koje se mogu stavljati na tržište Republike Hrvatske bez dopuštenja Ministarstva.

(2) Stranim vrstama koje nije dopušteno unositi i stavljati na tržište Republike Hrvatske smatraju se vrste navedene u Provedbenoj uredbi Komisije (EU) 2016/1141 od 13. srpnja 2016. o donošenju popisa invazivnih stranih vrsta koje izazivaju zabrinutost u Uniji u skladu s Uredbom (EU) br. 1143/2014 Europskog parlamenta i Vijeća (SL L 189, 14. 7. 2016.).

Članak 3.

(1) Pojmovi koji se koriste u ovom Pravilniku imaju sljedeće značenje:

...

5. stavljanje na tržište strane vrste znači držanje strane vrste u kontroliranim uvjetima u komercijalne svrhe, a posebno s ciljem prodaje, uključujući ponudu za prodaju ili svaki drugi oblik prijenosa, bez obzira na to je li besplatan ili nije, te prodaju, distribuciju i druge oblike prijenosa kao takve

6. uvođenje strane vrste u prirodu je ljudska aktivnost kojom se neka vrsta unosi u područje izvan njenog prirodnog područja rasprostranjenosti. Uvođenjem u prirodu ne smatra se sadnja stranih biljnih vrsta u izgrađenim dijelovima građevinskog zemljišta, niti sadnja u plastenicima i staklenicima izvan izgrađenih dijelova građevinskog zemljišta, kao niti držanje stranih životinjskih vrsta u kontroliranim uvjetima. Uvođenjem strane vrste u prirodu smatra se i prenošenje zavičajnih vrsta ljudskom intervencijom u ekosustave Republike Hrvatske u kojima prirodno ne obitavaju.

Članak 4.

(1) Strane vrste koje se mogu stavljati na tržište Republike Hrvatske bez dopuštenja Ministarstva navedene su u Prilogu ovoga Pravilnika.

(2) Bez dopuštenja Ministarstva mogu se stavljati na tržište Republike Hrvatske i strane vrste koje su navedene u Popisu šumskih svojti (»Narodne novine«, broj 4/11) za korištenje u šumarstvu i znanstveno istraživačkom radu u šumarstvu sukladno odredbama Zakona o šumskom reprodukcijom materijalu (»Narodne novine«, br. 75/09, 61/11, 56/13 i 14/14).

(3) Bez dopuštenja Ministarstva mogu se stavljati na tržište Republike Hrvatske i strane vrste koje su navedene u popisu divljači za korištenje u lovstvu sukladno odredbama Zakona o lovstvu (»Narodne novine«, br. 140/05, 75/09, 14/14, 21/16, 41/16 i 67/16).

(4) Strane vrste, odnosno hibridi, navedeni u Prilogu ovoga Pravilnika navode se znanstvenim nazivom reda, porodice i vrste.

(5) Odredbe ovoga Pravilnika primjenjuju se na žive jedinke stranih vrsta navedenih u Prilogu ovoga Pravilnika i sve njihove razvojne oblike, uključujući i podvrste navedenih vrsta, sve ostale niže kategorije, te međusobne hibride navedenih vrsta.

(6) Fizička ili pravna osoba ili fizička osoba obrtnik koja u Republici Hrvatskoj uzgaja ili drži strane vrste navedene u Prilogu ovoga Pravilnika dužna je isto provoditi u kontroliranim uvjetima.

(7) Fizička ili pravna osoba ili fizička osoba obrtnik koja stavlja na tržište jedinke strane vrste navedene u Prilogu ovoga Pravilnika mora na vidljivom mjestu istaknuti obavijest sljedećeg sadržaja: »Sukladno propisima iz područja zaštite prirode Republike Hrvatske, strogo je zabranjeno uvođenje stranih vrsta u prirodu te u ekosustave u kojima one prirodno ne obitavaju. Strane vrste su potencijalno invazivne te mogu imati višestruko negativan utjecaj na bioraznolikost, gospodarstvo ili zdravlje ljudi«.

2.1.4. Strategy and Action Plan for the Protection of Biological and Landscape Diversity of the Republic of Croatia

1. English name of the legally binding text:

Strategy and Action Plan for the Protection of Biological and Landscape Diversity of the Republic of Croatia

2. The original name of the legally binding text:

Strategija i akcijski plan zaštite prirode Republike Hrvatske za razdoblje od 2017. do 2025. godine

3. National gazette No. where it is published:

Narodne novine broj 72/17 na snazi od 07. 07. 2017.

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2017_07_72_1712.html

5. Link to the translated legal text:

<https://www.cbd.int/doc/world/hr/hr-nbsap-v3-en.pdf>

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- **Risk assessments**
- **Early warning and rapid response**
- Control, management restoration
- Financing
- **Awareness-raising & capacity building**
- **National or international cooperation**

8. Stakeholders:

Ministry of Economy and Sustainable Development, Nature Protection Directorate
Ministry of Economy and Sustainable Development, Institute for Environment and Nature
Public institutions for the management of protected areas and areas of the Natura 2000 ecological network at the national, regional and local level

9. Summary of the legal text in English:

The Nature Protection Strategy and Action Plan for the period 2017–2025 is the core nature conservation document of the Republic of Croatia.

This Strategy includes the guidelines of the global Strategic Plan for Biodiversity 2011-2020, adopted at the 10th meeting of the Conference of the Parties to the Convention on Biological Diversity, held in Nagoya, Japan (Act on Ratification of the Convention on Biological Diversity (Official Gazette - International Treaties, No. 6/96). During the Strategy drafting process, five strategic goals were defined and aligned with the Strategic Plan for Biodiversity mentioned above and the EU Biodiversity Strategy to 2020.

As stipulated by the Convention on Biological Diversity, the Strategy serves as an instrument that ensures the implementation of the main objectives of the Convention. It also ensures the integration of biodiversity conservation measures into relevant sectoral or cross-sectoral plans, programmes and policies.

10. Your view:

No comments.

11. Articles relevant for IAS management:

2.5. Pregled ocjene stanja, posebni ciljevi te predviđene aktivnosti po strateškim ciljevima

...

2.5.2. Strateški cilj 2: Smanjiti direktne pritiske na prirodu i poticati održivo korištenje prirodnih dobara

...

Fragmentacija i degradacija staništa

...

Izgradnja prometne infrastrukture (ceste, željezničke pruge, plovni kanali) predstavlja jedan od najvažnijih uzroka fragmentacije staništa. Utjecaji pojačanog prometa očituju se u povećanoj buci, posljedičnom uznemiravanju životinja te onečišćenju uz prometnice i pruge što čini okolna staništa nepovoljnim za život. Također uzrokuje nalete vozila na životinje, sprječava njihov pristup prirodnim resursima te potiče širenje invazivnih vrsta.

...

Invazivne strane vrste

Invazivne strane vrste (engl. Invasive Alien Species, IAS) su među glavnim prijetnjama bioraznolikosti. Osim toga, imaju negativan socijalni učinak, mogu biti prijenosnici bolesti ili uzrokovati zdravstvene probleme poput peludnih alergija i dermatitisa. Nadalje, negativno utječu na usluge ekosustava, što se očituje kroz štete u poljoprivredi, ribarstvu, šumarstvu i sl. IAS direktno negativno utječu na gospodarstvo i kroz štete na infrastrukturnim i hidroenergetskim objektima, a indirektno kroz smanjivanje radne učinkovitosti zbog zdravstvenih problema povezanih s alergijama. Troškovi koje IAS nanose Europskoj uniji procjenjuju se na najmanje 12 milijardi eura godišnje i nastavljaju rasti. U Republici Hrvatskoj nije utvrđen ukupan razmjer šteta, ali postoje pojedinačni primjeri koji ilustriraju financijski značaj problema, kao npr. štete na hidroenergetskim objektima HE »Varaždin«, HE »Čakovec« i HE »Dubrava« nastale zbog gustih obraštaja školjkaša raznolika trokutnjača (*Dreissena polymorpha*) i biljke kanadska vodena kuga (*Elodea canadensis*). Trošak uklanjanja raznolike trokutnjače u proteklom četverogodišnjem razdoblju iznosio je preko 1,5 milijuna kuna, dok je šteta nastala zbog uklanjanja kanadske vodene kuge i sanacije oštećenja koje je uzrokovala na HE »Čakovec« iznosila oko 500.000 kuna. Trend pokazuje da će se stanje pogoršati ako se ne poduzmu mjere za rješavanje problema na nacionalnoj razini temeljene na usklađenom djelovanju dionika. Porast problema je i naseljavanje novih IAS-a i daljnje nekontrolirano širenje već prisutnih IAS-a, što ima za posljedicu povećanje šteta i troškova upravljanja.

Nesistematizirano znanje o putovima unošenja i utjecaju stranih vrsta, nepostojanje jedinstvene liste stranih vrsta, neprovedena sustavna prioritizacija stranih vrsta u Republici Hrvatskoj prepreka su sustavnom i učinkovitom rješavanju problema IAS-a. Nadalje, nedostatni financijski, ljudski i tehnički resursi predstavljaju prepreku uspostavi sustava za upravljanje stranim vrstama. Dodatno je potrebno i uskladiti međusektorsko djelovanje kroz nacionalni zakonodavni okvir. Time bi se stvorila osnova za učinkovito uključivanje različitih dionika u ovu problematiku. Ispitivanje javnog mnijenja iz 2013. godine pokazalo je nedovoljnu razinu educiranosti i informiranosti javnosti o IAS-u (preko 60 % stanovnika Republike Hrvatske nije čulo za pojam invazivnih stranih vrsta). Dio navedene problematike sagledava i Strategija upravljanja morskim okolišem i obalnim područjem.

Premda problematika IAS ne poznaje granice država, trenutno je regionalna suradnja nedovoljno razvijena i nije koordinirana, što predstavlja dodatni problem. Pozitivan primjer je sudjelovanje u projektu BALMAS čiji je glavni cilj uspostava zajedničkog prekograničnog sustava povezivanja svih istraživanja na Jadranu, stručnjaka te nacionalnih institucija kako bi se izbjegli neželjeni rizici po okoliš i ljude zbog transporta IAS-a. Kroz poduzete aktivnosti stvoren je okvir za mjere predostrožnosti koji ima za cilj smanjivanje rizika od novih bioloških invazija. Trend negativnih utjecaja IAS-a na bioraznolikost je uzlazan. Analiza stanja prirode u Republici Hrvatskoj od 2008. do 2012. godine pokazuje da su zbog IAS-a najugroženiji vodozemci, slatkovodne ribe, gmazovi, morske ribe, vretenca, a broj stranih vrsta je u porastu. Prikupljanje podataka i održavanje baza podataka o IAS-u te edukacija i podizanje svijesti javnosti predstavljaju bitan segment pri upravljanju invazivnim stranim vrstama. Aktivnosti koje se odnose na te segmente su navedene i u drugim strateškim ciljevima, posebice Strateškom cilju 4 i Strateškom cilju 5 ove Strategije.

Posebni ciljevi

...

2.6 Uspostaviti sustav upravljanja stranim vrstama te provoditi mjere sprječavanja unošenja i širenja te suzbijanja invazivnih stranih vrsta

Aktivnost	Pokazatelj provedbe
2.6.1 Uspostaviti cjeloviti zakonodavni okvir Republike Hrvatske za upravljanje IAS-om	Doneseni potrebni zakonski i podzakonski akti Uspostavljeno je funkcionalno međuresorno povjerenstvo za IAS i koordinaciju (komunikaciju) nadležnih tijela.
2.6.2 Izraditi standarde za procjenu rizika invazivnosti stranih vrsta	Broj skupina za koje je izrađen standard za procjenu rizika.
2.6.3 Uspostaviti programe osposobljavanja za unaprjeđenje službenih kontrola IAS	Broj radionica za osposobljavanje službenika nadležnih tijela o postupanju s IAS i njihovoj identifikaciji: carinska služba, nadležne inspekcije (fitosanitarna inspekcija, granična veterinarska inspekcija, inspekcija zaštite prirode i dr.) te broj sudionika po radionici.
1.6.4 Definirati putove unošenja i uspostaviti sustav upravljanja IAS-om	Izrađeni planski dokumenti za upravljanje IAS-om i putovima njihovog unošenja. Uspostavljena regionalna suradnja i razmjena podataka vezanih uz IAS. Broj projekta vezanih uz upravljanje IAS-om.

...

2.5.5. Strateški cilj 5: Podići razinu znanja, razumijevanja i podrške javnosti za zaštitu prirode

...

Također je provedeno istraživanje o stavovima i informiranosti javnosti o IAS, koje je pokazalo nedostatak edukacije o potencijalnoj opasnosti od IAS-a za bioraznolikost. Analiza ukazuje na potrebu za intenzivnijim radom s novinarima putem tematskih predavanja i radionica kako bi se što točnije informiralo javnost o pojedinim temama važnim za zaštitu prirode.

Temeljem analize stanja prirode u Republici Hrvatskoj, kao prioritetne teme u sklopu Strateškog cilja 5 definirane su:

...

3. invazivne strane vrste

...

5. PRILOZI

PRILOG 1.

Ciljevi Strateškog plana za bioraznolikost (globalni strateški ciljevi ili Aichi ciljevi)

STRATEŠKI CILJ A. Utjecati na skrivene uzroke gubitka bioraznolikosti pozicioniranjem bioraznolikosti u politici i društvu

...

Do 2020. godine, invazivne strane vrste i putovi unosa su identificirani i prioritizirani, prioritetne vrste su kontrolirane i/ili iskorijenjene, a na snazi su mjere kojima se sprječava njihovo uvođenje i uspostavljanje populacija.

...

PRILOG 4.

Usporedni prikaz Posebnih ciljeva Strategije s globalnim strateškim ciljevima (Aichi ciljevima) i ciljevima Strategije Europske unije o bioraznolikosti do 2020. godine te nacionalnom listom pokazatelja (NLP)

...

2.6	Uspostaviti sustav upravljanja stranim vrstama te provoditi mjere sprječavanja unošenja i širenja te suzbijanja invazivnih stranih vrsta (IAS)	<p>4. Najkasnije do 2020. godine, vlada, poslovni sektor i interesne strane na svim razinama poduzeli su korake za postizanje ili su implementirali planove za održivu proizvodnju i potrošnju te zadržali utjecaje korištenja prirodnih resursa u okviru sigurnih ekoloških granica.</p> <p>9. Do 2020. godine, invazivne strane vrste i putovi unosa su identificirani i prioritzirani, prioritetne vrste su kontrolirane i/ili iskorištenjene, a na snazi su mjere kojima se sprječava njihovo uvođenje i uspostavljanje populacija.</p> <p>19. Do 2020. godine, znanja, znanstvene baze i tehnologije koje se odnose na bioraznolikost, njezine vrijednosti, funkcioniranje, status i trendove te posljedice njenog gubitka su poboljšane, široko shvaćene, prenesene i primijenjene.</p>	5. <i>Boriti se s invazivnim stranim vrstama (A15, A16).</i>	BR 9 Invazivne strane vrste ME 17 Unos stranih i invazivnih vrsta
...				
4.2	Povećati dostupnost podataka o stanju prirode	<p>1. Najkasnije do 2020. godine, ljudi su svjesni svih vrijednosti bioraznolikosti i koraka koje mogu poduzeti kako bi istu očuvali i održivo koristili.</p> <p>19. Do 2020. godine, znanja, znanstvene baze i tehnologije koje se odnose na bioraznolikost, njezine vrijednosti, funkcioniranje, status i trendove te posljedice njenog gubitka su poboljšane, široko shvaćene, prenesene i primijenjene.</p>	1. <i>Poboljšati zakonodavstvo Europske unije, odnosno u potpunosti implementirati Direktivu o pticama i Direktivu o staništima (A3, A4).</i>	BR 18 Svijest javnosti o zaštiti prirode BR 9 Invazivne strane vrste

2.1.5. Regulation establishing the framework for action of the Republic of Croatia in the protection of the marine environment

1. English name of the legally binding text:

Regulation establishing the framework for action of the Republic of Croatia in the protection of the marine environment

2. The original name of the legally binding text:

Uredba o uspostavi okvira za djelovanje Republike Hrvatske u zaštiti morskog okoliša

3. National gazette No. where it is published:

Narodne novine broj 136/2011 na snazi od 06.10.2011.

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2011_11_136_2724.html

5. Link to the translated legal text:

Not applicable.

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Economy and Sustainable Development, Directorate for climate activities, sustainable development and protection of soil, air and sea.

Ministry of Economy and Sustainable Development, Institute for Environment and Nature.

9. Summary of the legal text in English (up to ½ page):

This Regulation provides a baseline and standards for drafting, development, implementation and monitoring of the implementation of the Marine Environment Protection Strategy or the so-called "Marine strategy" the drafting of which has its legal basis in the Environmental Protection Act.

10. Your view:

The Regulation should be revised in line with the new law related to the IAS - Act on the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species.

11. Articles relevant for IAS management:

PRILOG I.

KVALITATIVNI DESKRIPTORI ZA UTVRĐIVANJE DOBROG STANJA OKOLIŠA

Kvalitativni deskriptori za utvrđivanje dobrog stanja okoliša sadrže osobito:

...

2. Strane vrste unesene ljudskim aktivnostima na takvim su razinama da ne štete ekološkim sustavima;

...

PRILOG II.

KRITERIJI I METODOLOŠKI STANDARDI ZA ODREĐIVANJE DOBROG STANJA OKOLIŠA

...

DIO B

Kriteriji za određivanje dobrog stanja okoliša povezani s deskriptorima iz Priloga I. ove Uredbe

...

Deskriptor 2.: Strane vrste uvedene u okoliš kao posljedica ljudskih aktivnosti na takvim su razinama da ne štete ekološkim sustavima.

Definiranje i procjena putova i pravaca širenja stranih vrsta uvedenih u okoliš kao rezultat ljudskih aktivnosti predstavljaju preduvjet da bi se spriječilo da takve vrste dostignu razine koje su štetne za ekološki sustav te da bi se ublažili negativni učinci. Početna procjena mora uzeti u obzir da su neke vrste uvedene u okoliš kao posljedica ljudskih aktivnosti već uređene propisima kako bi se njihov potencijalni utjecaj na morske ekološke sustave procijenio i sveo na najmanju moguću mjeru, kao i da se neke strane vrste već duže vrijeme uobičajeno koriste u ribogojstvu i već podliježu uvjetu pribavljanja posebnih dozvola u sklopu važećih propisa. Znanje o utjecajima stranih vrsta na okoliš još uvijek je ograničeno. Potreban je daljnji znanstveni i tehnički napredak kako bi se razvili potencijalno korisni pokazatelji, posebice u slučaju utjecaja invazivnih stranih vrsta (kao što su primjerice indeksi biološkog onečišćenja), koji ostaju glavni problem pri postizanju dobrog stanja okoliša. Kod procjene i praćenja[3] prioritet je definiranje stanja, što predstavlja preduvjet za procjenu važnosti utjecaja, ali samo po sebi ne osigurava postizanje dobrog stanja okoliša u pogledu ovog deskriptora.

2.1. Brojnost i definicija stanja stranih vrsta, naročito invazivnih vrsta

– Trendovi u brojnosti, pojavi u vremenu i prostornoj rasprostranjenosti u divljini stranih vrsta, naročito invazivnih stranih vrsta, osobito u rizičnim područjima, u odnosu na glavne pravce i putove širenja tih vrsta (2.1.1.)

2.2. Utjecaj invazivnih stranih vrsta na okoliš

– Omjer između invazivnih stranih vrsta i domaćih vrsta u nekim dobro ispitanim taksonomskim skupinama (poput riba, makroalgi, mekušaca) koji bi mogao dovesti do promjene u sastavu vrsta (primjerice slijedom premještanja domaćih vrsta) (2.2.1.)

– Utjecaji stranih invazivnih vrsta na razini vrsta, staništa i ekosustava, gdje je to izvedivo (2.2.2.).

2.1.6. Strategy for Sustainable Development of the Republic of Croatia

1. English name of the legally binding text:

Strategy for Sustainable Development of the Republic of Croatia

2. The original name of the legally binding text:

Strategija održivog razvitka Republike Hrvatske

3. National gazette No. where it is published:

Narodne novine broj 30/2009 na snazi od 20.02.2009.

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2009_03_30_658.html

5. Link to the translated legal text:

<https://sustainabledevelopment.un.org/index.php?page=view&nr=213&type=504&menu=139>

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

- Ministarstvo kulture
- Ministarstvo gospodarstva i održivog razvoja
- Ministarstvo poljoprivrede
- Ministarstvo mora, prometa i infrastrukture
- Ministarstvo regionalnog razvoja i fondova Europske unije
- Ministarstvo financija
- Središnji državni ured za razvojnu strategiju i koordinaciju fondova Europske unije
- Lokalna i regionalna samouprava
- Zavod za zaštitu okoliša i prirode
- Fond za zaštitu okoliša i energetska učinkovitost

- Hrvatske šume
- Hrvatske vode
- Instituti
- Javne ustanove za upravljanje zaštićenim dijelovima prirode (nacionalni parkovi, parkovi prirode, županijske javne ustanove)
- Sveučilišta
- Stručne institucije
- Nevladine organizacije

9. Summary of the legal text in English:

The Strategy contains fundamental principles and criteria for determining the objectives and the long-term transformation towards sustainable development of the Republic of Croatia.

Taking into account the realization of sustainable development of the Republic of Croatia, the Strategy sets primary objectives and measures of sustainable economic development, sustainable social development and environmental protection and identifies key challenges in their realization.

An analysis of the most critical challenges describes the current economic, social, and environmental aspects.

The Strategy also specifies methods for its implementation, which institutions implement it, and how the implementation is monitored.

10. Your view:

Only the introduction of alien marine micro-organisms and pathogens is mentioned in the Strategy. The Strategy should be in line with the new law related to the IAS - Act on the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species.

11. Articles relevant for IAS management:

III. KLJUČNI IZAZOVI OSTVARENJA ODRŽIVOG RAZVITKA REPUBLIKE HRVATSKE

...

8. Zaštita Jadranskog mora, priobalja i otoka

...

Najvažniji problemi zaštite okoliša, a time i održivog razvitka Jadrana jesu: nedostatak uređaja za pročišćavanje urbanih i industrijskih otpadnih voda, iznenadna i operativna onečišćenja mora s pomorskih objekata, nesreće pri prijevozu i pretovaru nafte i naftnih prerađevina, problem unosa stranih morskih mikroorganizama i patogena u morski okoliš, izlov i prelov ribljeg fonda, nadasve pretjerana gradnja na obalnom području.

...

Glavni cilj

- Promicati održivo gospodarenje Jadranskim morem, obalom i otocima i očuvanje morskih ekosustava smanjivanjem unosa otpadnih tvari i stranih mikroorganizama i patogena u more iz svih izvora onečišćenja, potporom lokalnim zajednicama, osobito otočnima, ali s ograničavanjem utjecaja gospodarskih djelatnosti, osobito turizma, na okoliš.

...

VI. TEMATSKI POKAZATELJI OSTVARIVANJA ODRŽIVOG RAZVITKA REPUBLIKE HRVATSKE

Biološka kakvoća mora	unos stranih invazivnih vrsta
	status bioraznolikosti u moru

2.1.7. Ordinance on the Internal Order in the Velebit Nature Park

1. English name of the legally binding text:

Ordinance on the Internal Order in the Velebit Nature Park

2. The original name of the legally binding text:

Pravilnik o unutarnjem redu u Parku prirode "Velebit"

3. National gazette No. where it is published (list all amendments):

Narodne novine broj 12/2002 na snazi od 06.02.2002.

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2002_02_12_301.html

5. Link to the translated legal text:

-

6. Status of the legal text

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments

- Early warning and rapid response
- Control, management restoration
- **Financing**
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders

Velebit Nature Park Public Institution
Ministry of Economy and Sustainable Development, Nature Protection Directorate
Ministry of Economy and Sustainable Development, Institute for Environment and Nature

9. Summary of the legal text in English:

This is the main act by which the Service for Monitoring performs direct supervision in the Nature Park in relation to the Nature Protection Act.

10. Your view:

The Ordinance is incomplete. It refers only to banning the introduction of invasive alien species and penal provisions. It should be more specific and include more detailed activities on prevention of introductions, risk assessments, early warning, rapid response, control and restoration management.

11. Articles, relevant for IAS management:

1.2. *Zaštita žive prirode*
1.2.1. *Zaštita biljnog svijeta*
...

Članak 12.

Zabranjeno je unošenje i sadnja stranih (alohtonih), hibridnih i kloniranih biljnih vrsta na čitavom području Parka prirode.

Članak 17.

...

Zabranjeno je unošenje i puštanje stranih (alohtonih), hibridnih i kloniranih životinjskih vrsta na području Parka prirode.

...

VI. KAZNENE ODREDBE

Članak 102.

Novčanom kaznom od 3.000,00 kn do 15.000,00 kn kaznit će se za prekršaj pravna i fizička osoba ako:

...

6) unosi ili sadi strane (alohtone), hibridne i klonirane biljne vrste (čl. 12);

...

12) unosi i pušta strane (alohtone), hibridne i klonirane životinjske vrste na području Parka prirode (čl. 17.);

2.2. SECTOR: AGRICULTURE

1.2.1. Law on Agriculture

1. English name of the legally binding text:

Law on Agriculture

2. The original name of the legally binding text:

Zakon o poljoprivredi

3. National gazette No. where it is published:

NG No. 118/18

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2018_12_118_2343.html

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments

- Early warning and rapid response
- Control, management restoration
- **Financing**
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture, Department for Agricultural policy, EU and International Cooperation,
<https://poljoprivreda.gov.hr/kontakti/uprava-za-poljoprivrednu-politiku-eu-i-medjunarodnu-suradnju/120>

9. Summary of the legal text in English (up to ½ page):

This Act determines the objectives and measures of the agricultural policy, including:

- rules related to the common organization of the market of agricultural products,
- information and promotion measures, rules on strong alcoholic beverages,
- data collection and reporting on prices of agricultural products,
- the national Codex Alimentarius system,
- food and food quality requirements for animals,
- food waste prevention, food donation, organic production,
- agricultural and food quality systems,
- placing on the market of natural mineral,
- natural spring and table waters, including their safety,
- labelling and quality requirements,
- farming advice,
- education and development of professional affairs,
- databases,
- conditions for the production and placing on the market of flour,
- the system of agricultural accounting data,
- administrative control and field control,
- and administrative and inspection supervision.

10. Your view:

The Law contains an obligation for the recipients of agricultural payments to prevent the encroachment of unwanted trees, especially of aggressive weeds. However, the species and management actions are not further defined.

11. Articles relevant for IAS management:

Članak 27.

(1) Korisnik Programa izravnih plaćanja dužan je održavati poljoprivredne površine u stanju pogodnom za pašu ili uzgoj u skladu s člankom 4. stavkom 1. točkom (c) podtočkom (ii) Uredbe (EU) br. 1307/2013, na način da sprječava zarastanje poljoprivrednih površina neželjenom šumskom vegetacijom i posebno agresivnim korovima.

1.2.2. Law on Agricultural Land

1. English name of the legally binding text:

Law on Agricultural Land

2. The original name of the legally binding text:

Zakon o poljoprivrednom zemljištu

3. National gazette No. where it is published:

NG No. 20/18, 115/18, 98/19)

4. Link to the website:

<https://www.zakon.hr/z/133/Zakon-o-poljoprivrednom-zemlji%C5%A1tu>

5. Link to the translated legal text:

Not available.

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture, Department for Agricultural Land, plant production and Marketing,
<https://poljoprivreda.gov.hr/kontakti/uprava-za-poljoprivredno-zemljiste-biljnu-proizvodnju-i-trziste/121>

9. Summary of the legal text in English:

This Act regulates the maintenance and protection of agricultural land, use of agricultural land, change of purpose of agricultural land and fees, disposal of agricultural land owned by the Republic of Croatia (hereafter: state-owned land) and the Land Fund.

10. Your view:

There is no article concerning IAS, only in article 5 there are some factors that can damage the agricultural land, like biological or pathogenic issues, but IAS are not explicitly mentioned.

11. Articles relevant for IAS management:

None are directly applying to IAS.

1.2.3. Ordinance on the implementation of direct support to agriculture and IACS rural development measures for 2020

1. English name of the legally binding text:

Ordinance on the implementation of direct support to agriculture and IACS rural development measures for 2020

2. The original name of the legally binding text:

Pravilnik o provedbi izravne potpore poljoprivredi i IAKS mjera ruralnog razvoja za 2020. godinu

3. National gazette No. where it is published:

NG No. 22/20

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2020_02_22_547.html

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- **Financing**
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture, Department for the Subsidy in Agriculture and Rural Development
<https://poljoprivreda.gov.hr/kontakti/uprava-za-potpore-poljoprivredi-i-ruralnom-razvoju/123>

9. Summary of the legal text in English:

This Ordinance prescribes the submission of applications and the manner of implementation and includes measures from the direct payments program and detailed conditions and procedures for achieving:

1. basic payment, allocation and use of payment entitlements from national reserves, transfer of payment entitlements
2. payments for agricultural practices beneficial for the climate and the environment, redistributed payments, payments for young farmers, production-linked subsidies and programs for small farmers

10. Your view:

The ordinance prescribes manual eradication of several invasive alien plants:

- Indigo bush (*Amorpha fruticosa*, čivitnjača),
- Common milkweed (*Asclepias syriaca*, cigansko perje, prava svilenica),
- Bathurst burr (*Xanthium spinosum*, trnovita dikica, čičak),
- Californian burr (*Xanthium strumarium* L. ssp. *italicum*, obalna dikica),

however, this is not feasible on large common pastures with $\geq 3,000$ ha.

11. Articles, relevant for IAS management:

OPERACIJA 10.1.3. Očuvanje travnjaka velike prirodne vrijednosti (TVPV)

Uvjeti za ostvarenje potpore za operaciju 10.1.3.

Članak 66.

Uvjeti prihvatljivosti za TVPV jesu:

1. poljoprivredno zemljište je registrirano u ARKOD sustavu i označeno kao travnjak velike prirodne vrijednosti pri čemu se minimalno 50% površine nalazi na području iz Tablice 1. Priloga 4. ovoga Pravilnika
2. korisnik podnosi Agenciji za plaćanja jedinstveni zahtjev na kojem traži ulazak u sustav potpore za TVPV na listu A i prijavljuju površine na listu B, a u skladu s propisanim rokovima podnošenja jedinstvenog zahtjeva
3. korisnik preuzima obvezu petogodišnjeg razdoblja, osim korisnika iz članka 57. stavka 23. ovoga Pravilnika koji preuzimaju jednogodišnju obvezu provođenja operacije potpisivanjem jedinstvenog zahtjeva na listu A.

Godišnje podnošenje zahtjeva

Članak 67.

Svake godine tijekom trajanja obveznog razdoblja korisnik je dužan na jedinstvenom zahtjevu zatražiti potporu za TVPV na listu A i prijaviti površine na listu B u skladu s propisanim rokovima podnošenja jedinstvenog zahtjeva.

Obveze TVPV korisnika

Članak 68.

(1) TVPV korisnik je dužan ispunjavati sljedeće obveze:

1. svake godine tijekom obveznog petogodišnjeg razdoblja, uključujući i jednogodišnje obvezno razdoblje, završiti izobrazbu ili koristiti individualno savjetovanje ili sudjelovati u demonstracijskoj aktivnosti u trajanju od najmanje 6 sati vezano uz M10
2. zabranjena je upotreba mineralnog gnojiva ili stajskog gnoja
3. zabranjena je upotreba sredstava za zaštitu bilja
4. košnja je dozvoljena isključivo ručno ili strižnim kosilicama
5. vrijeme i učestalost košnje određena je prema regijama, zadnji dan do kada se može obaviti košnja je 15. rujna.

Regija	Početak košnje	Broj otkosa
Kontinentalna nizinska	1. kolovoza	Jedan
Brdsko-planinska	20. srpnja	Jedan do dva
Mediterranska	15. srpnja	Jedan

6. ukoliko se travnjak koristi za napasivanje, dozvoljeno je maksimalno 1,0 UG/ha ovaca, koze, goveda i/ili kopitara, minimalni pašni pritisak je 0,3 UG/ha

7. ručno odstranjivati pojedinačne biljke koje nisu prikladne za ispašu: *Amorpha fruticosa* (čivitnjača), *Asclepias syriaca* L. (cigansko perje, prava svilenica), *Xanthium spinosum* L. (trnovita dikica, čičak), *Xanthium strumarium* L. ssp. *italicum* (Moretti) D.L. (obalna dikica)

8. hidromelioracijski zahvati nisu dozvoljeni

9. voditi evidenciju o provođenju svih radnji iz točki 1. – 8. ovoga članka na Obrascu 3. iz Priloga 4. ovoga Pravilnika

10. tijekom obveznog razdoblja provoditi operaciju na istim površinama u skladu s podnesenim zahtjevom za ulazak u sustav potpore i donesenom Odlukom o ulasku u sustav potpore kojom se utvrđuje obvezna površina za kontrolu.

(2) Evidenciju iz stavka 1. točke 9. ovoga članka korisnik dostavlja na uvid podružnici Agencije za plaćanja najkasnije do 31. prosinca 2020. godine.

OPERACIJA 10.1.4. Pilot mjera za zaštitu kosca

(*Crex crex*) (ZK)

Uvjeti za ostvarenje potpore za operaciju 10.1.4.

Članak 69.

Uvjeti prihvatljivosti za ZK jesu:

1. poljoprivredno zemljište je registrirano u ARKOD sustavu i označeno kao travnjak na području ekološke mreže na kojem je cilj očuvanja ptica kosac (*Crex crex*) pri čemu se minimalno 30% površine nalazi na području iz Tablice 2. Priloga 4. ovoga Pravilnika

2. korisnik podnosi Agenciji za plaćanja jedinstveni zahtjev na kojem traži ulazak u sustav potpore za ZK na listu A i prijavljuju površine na listu B, a u skladu s propisanim rokovima podnošenja jedinstvenog zahtjeva

3. korisnik preuzima obvezu petogodišnjeg razdoblja, osim korisnika iz članka 57. stavka 23. ovoga Pravilnika koji preuzimaju jednogodišnju obvezu provođenja operacije potpisivanjem jedinstvenog zahtjeva na listu A.

Godišnje podnošenje zahtjeva

Članak 70.

Svake godine tijekom trajanja obveznog razdoblja korisnik je dužan na jedinstvenom zahtjevu zatražiti potporu za ZK na listu A i prijaviti površine na listu B u skladu s propisanim rokovima podnošenja jedinstvenog zahtjeva.

Obveze ZK korisnika

Članak 71.

(1) ZK korisnik je dužan ispunjavati sljedeće obveze:

1. svake godine tijekom obveznog petogodišnjeg razdoblja, uključujući i jednogodišnje obvezno razdoblje, završiti izobrazbu ili koristiti individualno savjetovanje ili sudjelovati u demonstracijskoj aktivnosti u trajanju od najmanje 6 sati vezano uz M10
2. zabranjena je upotreba mineralnog gnojiva/stajskog gnoja
3. zabranjena je upotreba sredstava za zaštitu bilja
4. košnja je dozvoljena isključivo ručno ili strižnim kosilicama na minimalnoj visini od 10 cm iznad tla
5. prvu košnju provoditi nakon 15. kolovoza, minimalno jednom, a maksimalno dva puta na godinu, zadnji dan do kada se može vršiti košnja je 15. rujna
6. na parcelama većim od 1 ha ostaviti uz rub nepokošenu traku (5% površine), a košnju obavljati od sredine parcele kružno prema van ili s jedne strane parcele prema drugoj
7. ukoliko travnjak služi za ispašu, ispaša može biti samo u jesen (najranije od košnje do kraja tekuće godine); dozvoljeno je maksimalno 1,0 UG/ha ovaca, koza, goveda i kopitara, minimalni pašni pritisak je 0,3 UG/ha
8. ručno odstranjivati pojedinačne biljke koje nisu prikladne za ispašu ispašu: *Amorpha fruticosa* (čivitnjača), *Asclepias syriaca* L. (cigansko perje, prava svilenica), *Xanthium spinosum* L. (trnovita dikica, čičak), *Xanthium strumarium* L. ssp. *italicum* (Moretti) D.L. (obalna dikica)
9. hidromelioracijski zahvati nisu dozvoljeni
10. voditi evidenciju o provođenju svih radnji iz točaka 1-9 ovoga članka na Obrascu 4. iz Priloga 4. ovoga Pravilnika.
11. tijekom obveznog razdoblja provoditi operaciju na istim površinama u skladu s podnesenim zahtjevom za ulazak u sustav potpore i donesenom Odlukom o ulasku u sustav potpore kojom se utvrđuje obvezna površina.

(2) Evidenciju iz stavka 1. točke 10. ovoga članka korisnik dostavlja na uvid podružnici Agencije za plaćanja najkasnije do 31. prosinca 2020. godine.

2.3. SECTOR: FORESTRY

2.3.1. Act on forests

1. English name of the legally binding text:

Act on Forests

2. The original name of the legally binding text:

Zakon o šumama

3. National gazette No. where it is published:

Narodne novine 68/2018, 115/2018, 98/2019

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2018_07_68_1392.html

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture (Management of forestry, hunting and wood technology, Forestry Sector),
"HRVATSKE ŠUME" d.o.o. (Croatian Forests-public company)

9. Summary of the legal text in English:

Croatian forestry has adopted a policy of close-to-nature management of forests. As a part of this, the Act on Forests states that, in forests, habitats of native plant and animal species should be preserved following forest management plans. Forests, in which the composition of forest associations have been changed should gradually be returned to have a natural species composition by giving preference to native species.

10. Your view:

The act states that only those alien species should be used in forestry, for which the impact ecosystems and on the genetic integrity of native species has been expertly assessed, and their negative impact can be avoided or reduced. Assessments are performed by the Ministry of Economy and Sustainable Development, Section for introduction and reintroduction.

11. Articles, relevant for IAS management:

Gospodarenje šumama i zaštita šumskog ekosustava

Članak 10.

(1) Šumoposjednici gospodare šumama održavajući i unapređujući bioraznolikost i krajobraznu raznolikost te skrbe o zaštiti šumskog ekosustava i pri tome su obvezni:

1. održavati prirodni sastav šume i podržavati zavičajne vrste
2. smještajem i strukturom umjetno podignutih sastojina poticati zaštitu i obnovu prirodnih šuma, a ne povećavati pritisak na njih
3. izabrati vrste za umjetno podizanje sastojina i obnovu degradiranih sastojina obavljati na temelju opće prikladnosti stanišnim uvjetima i ciljevima gospodarenja, dajući prednost zavičajnim vrstama
4. koristiti samo one unesene vrste, provenijencije i varijetete čiji je utjecaj na ekosustav i genetički integritet zavičajnih vrsta stručno procijenjen, a čiji se negativni utjecaj može izbjeći ili umanjiti

...

2.3.2. Rules on forest management

1. English name of the legally binding text:

Rules on forest management

2. The original name of the legally binding text:

Pravilnik o uređivanju šuma

3. National gazette No. where it is published:

NN 97/2018

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2018_11_97_1875.html

5. Link to the translated legal text:

Not available.

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture (Management of forestry, hunting and wood technology, Forestry Sector), "HRVATSKE ŠUME" d.o.o. (Croatian Forests-public company), forest owners

9. Summary of the legal text in English:

"Rules on forest management" is a key document which describes procedures of adoption and the manner of preparation of forest management plans. However, in the latest version, there is no mention of invasive species.

10. Your view:

In ANNEX 3 in this document, there is a list of trees species that occur in Croatia, according to FLORA EUROPEAE. This List is used in international programs and includes species that occur in Europe, regardless of their origin. The invasive alien tree species *Ailanthus altissima*, *Acer negundo*, *Fraxinus americana* and *Robinia pseudoacacia* are included in this list, without any remarks on their invasiveness.

11. Articles relevant for IAS management:

None are directly applying to IAS.

2.4. SECTOR: WATER MANAGEMENT

2.4.1. Water Law

1. English name of the legally binding text:

Water Law

2. The original name of the legally binding text:

Zakon o vodama

3. National gazette No. where it is published:

NG No. 66/19

4. Link to the website:

<https://www.zakon.hr/z/124/Zakon-o-vodama>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Economy and Sustainable Development, Department for Water Management and Protection of Sea (<https://mzoe.gov.hr/kontakti/uprava-vodnoga-gospodarstva-i-zastite-mora/4944>)
Croatian Water PE, <https://www.voda.hr/>

9. Summary of the legal text in English (up to ½ page):

This Law regulates the legal status of water, water resources and water structures, water quality and quantity management, protection against harmful effects of water, detailed reclamation, drainage and irrigation, special activities for water management, the institutional structure of these activities and other issues related to water and springs.

10. Your view:

The Water Law does not recognize nor include any articles concerning IAS and AS. Retention areas/natural floodplain are widely used in flood control system managed by Croatian Waters. For instance, 8,500 ha of wet grassland is used as a flood control system in Lonjsko polje. Of this surface, 40% is covered by IAS, which reduces its water retention capacity. There is an intention of Croatian Waters to eradicate these IAS, to improve the water retention capacity.

The Water Law should establish criteria for land leasing of public water goods, which include natural and protected floodplains in protected areas along the Sava River. Public calls for land lease are published without compliance with the Nature Protection Law, the Law on Agricultural Land and the Law on IAS.

Together with the Water Management sector, the Nature Protection Sector works based on three-year management plans, which define nature conservation measures for the entire country. It is planned to include aquatic IAS in protected areas in the upcoming 3-years water management plan. This will provide an opportunity to have eradication and control of IAS. This new management plan will be established in the framework of an EU project OPKK "Managing NATURA2000 sites" lead by the Ministry of Energy and Sustainable Development.

11. Articles relevant for IAS management:

None are directly applying to IAS.

2.5. SECTOR: SPATIAL PLANNING

We have reviewed several documents related to the spatial planning sector. IAS are not mentioned in any of these documents:

- Zakon o prostornom uređenju (<https://www.zakon.hr/z/689/Zakon-o-prostornom-uređenju>)
- Odluka o izmjeni i dopuni Programa prostornog uređenja Republike Hrvatske (https://narodne-novine.nn.hr/clanci/sluzbeni/2013_07_84_1871.html)

- Strategija prometnog razvoja Republike Hrvatske za razdoblje od 2014. do 2030. (https://vlada.gov.hr/UserDocsImages/ZPPI/Strategije/MMPI%202017-2030%20STRAT%20PROM%20RZV%20RH%2025-8_17.pdf)
- City of Zagreb Development Strategy for the period up to 2020 (https://www.zagreb.hr/UserDocsImages/gu%20za%20strategijsko%20planiranje/RSZG%202020%20%20ENG_digital.pdf)
- Odluka o donošenju Prostornoga plana uređenja Grada Sveta Nedelja (IV Izmjene i dopune - pročišćeni tekst) (http://zopcina.zeljko-gis.com/svetanedelja/PP/PPUG_SvN_IV_IiD_-_Odluka.pdf)
- Odluka o donošenju prostornog plana uređenja grada Velike Gorice (<http://www.gorica.hr/prostorni-planovi/>)

2.5.1. Spatial Development Strategy of the Republic of Croatia

1. English name of the legally binding text:

Spatial Development Strategy of the Republic of Croatia

2. The original name of the legally binding text:

Strategija prostornog razvoja Republike Hrvatske

3. National gazette No. where it is published:

Narodne novine broj 106/2017 na snazi od 13.10.2017.

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2017_10_106_2423.html

5. Link to the translated legal text:

<https://mgipu.gov.hr/UserDocsImages//Zavod/Publikacije//Spaltial.Development.Strategy.pdf>

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response

- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Construction and Physical Planning

9. Summary of the legal text in English:

The Spatial Development Strategy of the Republic of Croatia defines the long-term objectives of the spatial development of the Republic of Croatia, and it includes:

- starting points, basis and organization of spatial development with guidelines and priorities for achievement of spatial development goals
- strategic development of spatial systems with guidelines for spatial development on the regional and local level
- measures for the protection of the environment in accordance with the Sustainable Development Strategy of the Republic of Croatia.

10. Your view:

No comments. We don't have any experience with the implementation of this regulation.

11. Articles, relevant for IAS management:

2.2. PROSTORNA ORGANIZACIJA

...

2.2.5. Obalno područje i more

...

Planiranje mora

...

Među potencijalno najznačajnijim posljedicama stihijskog razvoja na moru jesu:

- unos stranih morskih mikroorganizama i patogena te stranih biljnih i životinjskih vrsta, od kojih su mnoge invazivne, u morski okoliš kao posljedica jačanja udjela prekooceanskog prometa

2.6. PRITISCI NA PROSTOR

...

2.6.1. Utjecaji klimatskih promjena

...

Posljedice klimatskih promjena u Hrvatskoj

...

Na Jadranu se također bilježi porast temperature mora koji uzrokuje sve češću pojavu imigrantskih vrsta riba iz toplih mora i širenje stranih vrsta od kojih neke postaju invazivne. To pak nepovoljno djeluje na njegovu bioraznolikost, a sve zajedno utječe i na smanjenje turističkih potencijala tog područja.

2.5.2. Decision on the adoption of the Spatial Plan of Žumberak- Samoborsko gorje Nature Park

1. English name of the legally binding text:

Decision on the adoption of the Spatial Plan of Žumberak- Samoborsko gorje Nature Park

2. The original name of the legally binding text:

Odluka o donošenju Prostornoga plana Parka prirode Žumberak - Samoborsko gorje

3. National gazette No. where it is published:

Narodne novine broj 125/2014 na snazi od 17. 10. 2014.

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2014_10_125_2381.html

5. Link to the translated legal text:

-

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Construction and Physical Planning
Croatian Institute for Spatial Development
Institute for Physical Planning of the Zagreb County
Institute for Urbanism of City of Zagreb
Public institution "Žumberak – Samoborsko gorje Nature Park"

9. Summary of the legal text in English:

The Plan sets out the objectives of protecting, preserving and promoting the natural and cultural values of the Park. The main goals are to preserve the characteristic landscape, which is created by traditional land use.

Provisions for the implementation of the Plan include a zonation, protection regimes and infrastructure development in the park,

10. Your view:

The Plan should be more specific about IAS and include concrete and precisely defined activities about control, management, and restoration plans as well as an early warning and rapid response system. It should be aligned with the Act on the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species.

11. Articles relevant for IAS management:

...

6. REŽIMI ZAŠTITE, IZGRADNJE I UREĐENJA PROSTORA PO ZONAMA ZAŠTITE PRIRODE

6.1. Zona stroge zaštite – Zona 1

...

Članak 93.

...

(2) U ovoj zoni nisu dopuštene intervencije u prostoru (osim u iznimnim okolnostima) niti bilo kakva izgradnja. Dopuštene intervencije u prostoru uključuju lokaliziranje požara, uklanjanje invazivnih alohtonih vrsta ili slične aktivnosti vezane uz očuvanje osnovnih prirodnih značajki prostora, a u skladu s odredbama Zakona o zaštiti prirode. Dopuštena su znanstvena istraživanja te inventarizacija i monitoring (praćenje stanja) biološke raznolikosti.

...

Članak 138.

Za ugrožena i rijetka staništa treba provoditi sljedeće mjere očuvanja:

...

– Očuvati biološke vrste značajne za stanišni tip te zaštićene i strogo zaštićene divlje svojte, što podrazumijeva neunošenje stranih (alohtonih) vrsta i genetski modificiranih organizama i osiguranje prikladne brige za njihovo očuvanje te sustavno praćenje stanja.

2.5.3. Decision on the adoption of the Spatial Plan of Medvednica Nature Park

1. English name of the legally binding text:

Decision on the adoption of the Spatial Plan of Medvednica Nature Park

2. The original name of the legally binding text:

Odluka o donošenju Prostornoga plana Parka prirode Medvednica

3. National gazette No. where it is published:

Narodne novine broj 89/2014 na snazi od 15. 07. 2014.

4. Link to the website:

https://narodne-novine.nn.hr/clanci/sluzbeni/2014_07_89_1800.html

5. Link to the translated legal text:

Not applicable.

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Construction and Physical Planning
Croatian Institute for Spatial Development
Institute for Physical Planning and Zoning of the City of Zagreb

Public Institution Nature Park Medvednica

9. Summary of the legal text in English:

The Plan determines long-term guidelines for the protection of the Medvednica Nature Park and a special regime for landscaping and sustainable land use. The plan defines general and special goals of spatial planning related to its regional position, the relationship between the Medvednica Nature Park and the City of Zagreb and other settlements on the edge of the Park, and specifics of the natural values within the Park.

10. Your view:

The Plan should be more specific about IAS and include concrete and precisely defined activities about control, management, and restoration plans as well as an early warning and rapid response system. It should be aligned with the Act on the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species.

11. Articles relevant for IAS management:

3.2. Zone zaštite

...

3.2.1. Zona 1b – zona stroge zaštite

Članak 25.

...

(3) U ovoj zoni nisu dozvoljene intervencije u prostoru, osim nužnih minimalnih intervencija u svrhu sigurnosti posjetitelja ili nužnih minimalnih intervencija u slučaju izvanrednih okolnosti (npr. lokalizacija požara, uklanjanje invazivnih vrsta, saniranje šteta nastalih prilikom havarija).

...

4.1.4. Gospodarenje šumom

Članak 41.

...

(5) Očuvati biološke vrste značajne za stanišni tip; ne unositi strane (alohtone) vrste i genetski modificirane organizme.

2.5.4. Decision on IV. amendments to the Decision on the adoption of the Spatial Development Plan of the Zagreb County

1. English name of the legally binding text:

Decision on IV. amendments to the Decision on the adoption of the Spatial Plan of the Zagreb County

2. The original name of the legally binding text:

Odluka o IV. izmjenama i dopunama Odluke o donošenju Prostornog plana Zagrebačke županije

3. National gazette No. where it is published:

“Glasnik Zagrebačke županije”, broj 8/05, 8/07, 4/10, 10/11, 14/12 - pročišćeni tekst, 27/15 i 31/15 - pročišćeni tekst

4. Link to the website:

https://www.zpuzz.hr/dld/prilozi/IV-ODLUKA_o_donosenju_IV_Izmjena_PPZZ.pdf

5. Link to the translated legal text:

Not applicable.

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Institute for Physical Planning of the Zagreb County

9. Summary of the legal text in English:

This decision is an example of a spatial plan on a county level. It is a fundamental document for the physical planning of regional self-government units. It elaborates the objectives of physical planning and determines the rational use of space according to the highest possible extent, with neighbouring counties, spatial development and protection of space. A part of the spatial plan of a county or the City of Zagreb can also be a spatial plan of areas with special features, including areas with natural values. The Spatial Plan of the Zagreb County is adopted by the Zagreb County Assembly.

10. Your view:

The Plan should be more specific about the IAS and include concrete and precisely defined activities about control, management, and restoration plans as well as an early warning and rapid response system. It should be aligned with the Act on the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species.

11. Articles relevant for IAS management:

Članak 62.

...

Očuvati biološke vrste značajne za stanišni tip te zaštićene i strogo zaštićene divlje svojte, što podrazumijeva neunošenje stranih (alohtonih) vrsta i genetski modificiranih organizama i osiguranje prikladne brige za njihovo očuvanje te sustavno praćenje stanja.

2.5.5. Decision on the adoption of the Spatial Development Plan of the area of special values Črnkovec - Zagreb Airport

1. English name of the legally binding text:

Decision on the adoption of the Spatial Development Plan of the area of special values Črnkovec - Zagreb Airport

2. The original name of the legally binding text:

Odluka o donošenju Prostornog plana područja posebnih obilježja Črnkovec - Zračna luka Zagreb

3. National gazette No. where it is published:

"Glasnik Zagrebačke županije", broj 23/12 od 21. rujna 2012.

4. Link to the website:

https://www.zagrebacka-zupanija.hr/static/files/misc/glasnik/2012/Glasnik_br23_od_21.09.2012.pdf

5. Link to the translated legal text:

Not applicable.

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Institute for Physical Planning of the Zagreb County Velika Gorica City Council
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9. Summary of the legal text in English:

This Plan, in compliance with the obligations of the Strategy and the Spatial Planning Program of the Republic of Croatia and guidelines and provisions from the Spatial Plan of Zagreb County, takes into account natural, landscape and cultural-historical values and environmental and nature protection conditions. Furthermore, it determines the objectives of spatial planning in its area and determines the organization, protection, purpose and conditions of spatial use.

The main goal of the Plan is to ensure better spatial and economic development of the wider area of the potential water pumping station Črnkovec and Zagreb Airport on the principles of sustainable development and with the selection of spatial planning solutions, which will be used to ensure:

- protection of groundwater of the proposed significant water pumping station of the Zagreb County and the City of Zagreb,
- development and conditions for the expansion of Zagreb Airport,
- development of road traffic, as well as the development of other infrastructure within the scope of the Plan,
- protection of the area of the archaeological site of Andautonia and other cultural values,
- protection of the source of the river Odra and other natural values,
- further development of existing settlements in the area.

10. Your view:

The Plan should be more specific about the IAS and include concrete and precisely defined activities about control, management, and restoration plans as well as an early warning and rapid response system. It should be aligned with the Act on the Prevention and Management of the Introduction and Spread of Alien Species.

IAS are only mentioned in the Plan, and it is pointed out that they should not be introduced on the sites, but no concrete measures are prescribed.

11. Articles, relevant for IAS management:

...

7.1.1.3. Područja Nacionalne ekološke mreže

Članak 128.

...

Popis područja Nacionalne ekološke mreže u obuhvatu Plana, sa utvrđenim smjernicama za mjere zaštite, daje se u sljedećoj tablici:

Tablica 7. Područja Nacionalne ekološke mreže u obuhvatu Plana:

Smjernice za mjere zaštite u svrhu očuvanja stanišnih tipova, propisanih Pravilnikom o vrstama stanišnih tipova, ugroženim i rijetkim stanišnim tipovima, te o mjerama za očuvanje stanišnih tipova:	
E. šume	
	<ul style="list-style-type: none"> - Gospodarenje šumama provoditi sukladno načelima certifikacije šuma - Prilikom dovršnoga sijeka većih šumskih površina, gdje god je to moguće i prikladno, ostavljati manje neposječene površine - U gospodarenju šumama očuvati u najvećoj mjeri šumske čistine (livade, pašnjaci i dr.) i šumske rubove - U gospodarenju šumama osigurati produljenje sječive zrelosti zavičajnih vrsta drveća s obzirom na fiziološki vijek pojedine vrste i zdravstveno stanje šumske zajednice - U gospodarenju šumama izbjegavati uporabu kemijskih sredstava za zaštitu bilja i bioloških kontrolnih sredstava ("control agents"); ne koristiti genetski modificirane organizme - Očuvati biološke vrste značajne za stanišni tip; ne unositi strane (alohitone) vrste i genetski modificirane organizme - U svim šumama osigurati stalan postotak zrelih, starih i suhih (stojećih i oborenih) stabala, osobito stabala s dupljama - U gospodarenju šumama osigurati prikladnu brigu za očuvanje ugroženih i rijetkih divljih svojti te sustavno praćenje njihova stanja (monitoring) - Pošumljavanje, gdje to dopuštaju uvjeti staništa, obavljati autohtonim vrstama drveća u sastavu koji odražava prirodni sastav, koristeći prirodni bliske metode; pošumljavanje nešumskih površina obavljati samo gdje je opravdano uz uvjet da se ne ugrožavaju ugroženi i rijetki nešumski stanišni tipovi

...

upovi		
Broj i naziv područja:	3 – Izvorišno područje Odre	
Šifra područja:	HR2000414	
Važnost područja:	Područje važno za divlje svojte i stanišne tipove	
Ciljevi očuvanja:	Stanišni tipovi – vodena i močvarna staništa, vlažne livade Srednje Europe (NKS šifra: C.2.2.)	
Smjernice za mjere zaštite za područja ekološke mreže:		
– Osigurati poticaje za očuvanje biološke raznolikosti (POP)		
Smjernice za mjere zaštite u svrhu očuvanja stanišnih tipova, propisanih Pravilnikom o vrstama stanišnih tipova, ugroženim i rijetkim stanišnim tipovima, te o mjerama za očuvanje stanišnih tipova:		
A. Površinske kopnene vode i močvarna staništa		
<ul style="list-style-type: none"> – Očuvati vodena i močvarna staništa u što prirodnijem stanju, a prema potrebi izvršiti revitalizaciju – Osigurati povoljnu količinu vode u vodenim i močvarnim staništima koja je nužna za opstanak staništa i njihovih značajnih bioloških vrsta – Očuvati povoljna fizikalno-kemijska svojstva vode ili ih poboljšati, ukoliko su nepovoljna za opstanak staništa i njihovih značajnih bioloških vrsta – Održavati povoljni režim voda za očuvanje močvarnih staništa – Očuvati povoljni sastav mineralnih i hranjivih tvari u vodi i tlu močvarnih staništa – Očuvati raznolikost staništa na vodotocima (neutvrđene obale, sprudovi, brzaci, slapovi i dr.) i povoljnu dinamiku voda (meandriranje, prenošenje i odlaganje nanosa, povremeno prirodno poplavljanje rukavaca i dr.) – Očuvati povezanost vodnoga toka – Očuvati biološke vrste značajne za stanišni tip; ne unositi strane (alohtone) vrste i genetski modificirane organizme 		
C–D. Travnjaci, cretovi, visoke zeleni i šikare		
<ul style="list-style-type: none"> – Gospodariti travnjacima putem ispaše i režimom košnje, prilagođenim stanišnom tipu, uz prihvatljivo korištenje sredstava za zaštitu bilja i mineralnih gnojiva – Očuvati biološke vrste značajne za stanišni tip; ne unositi strane (alohtone) vrste i genetski modificirane organizme – Očuvati povoljni omjer između travnjaka i šikare, uključujući i sprječavanje procesa sukcesije (sprečavanje zaraštavanja travnjaka i cretova i dr.) – Očuvati povoljnu nisku razinu vrijednosti mineralnih tvari u tlima suhih i vlažnih travnjaka – Očuvati povoljni vodni režim, uključujući visoku razinu podzemne vode na područjima cretova, vlažnih travnjaka i zajednica visokih zeleni 		
Broj 23/12	Glasnik Zagrebačke županije od 21. rujna 2012.	Stranica 2
Smjernice za mjere zaštite u svrhu očuvanja stanišnih tipova, propisanih Pravilnikom o vrstama stanišnih tipova, ugroženim i rijetkim stanišnim tipovima, te o mjerama za očuvanje stanišnih tipova:		
A. Površinske kopnene vode i močvarna staništa		
<ul style="list-style-type: none"> – Očuvati vodena i močvarna staništa u što prirodnijem stanju, a prema potrebi izvršiti revitalizaciju – Osigurati povoljnu količinu vode u vodenim i močvarnim staništima koja je nužna za opstanak staništa i njihovih značajnih bioloških vrsta – Očuvati povoljna fizikalno-kemijska svojstva vode ili ih poboljšati, ukoliko su nepovoljna za opstanak staništa i njihovih značajnih bioloških vrsta – Održavati povoljni režim voda za očuvanje močvarnih staništa – Očuvati povoljni sastav mineralnih i hranjivih tvari u vodi i tlu močvarnih staništa – Očuvati raznolikost staništa na vodotocima (neutvrđene obale, sprudovi, brzaci, slapovi i dr.) i povoljnu dinamiku voda (meandriranje, prenošenje i odlaganje nanosa, povremeno prirodno poplavljanje rukavaca i dr.) – Očuvati povezanost vodnoga toka – Očuvati biološke vrste značajne za stanišni tip; ne unositi strane (alohtone) vrste i genetske modificirane organizme 		

Broj i naziv područja:	5 – Odra kod Jagodna
Šifra područja:	HR2001031
Važnost područja:	Područje važno za divlje svojte i stanišne tipove
Ciljevi očuvanja:	Stanišni tipovi – vodeni tokovi s vegetacijom Ranunculion fluitantis i Callitricho-Batrachion (NATURA šifra: 3260)
Smjernice za mjere zaštite u svrhu očuvanja stanišnih tipova, propisanih Pravilnikom o vrstama stanišnih tipova, ugroženim i rijetkim stanišnim tipovima, te o mjerama za očuvanje stanišnih tipova:	
A. Površinske kopnene vode i močvarna staništa	
<ul style="list-style-type: none"> – Osigurati povoljnu količinu vode u vodenim i močvarnim staništima koja je nužna za opstanak staništa i njihovih značajnih bioloških vrsta – Očuvati povoljna fizikalno-kemijska svojstva vode ili ih poboljšati, ukoliko su nepovoljna za opstanak staništa i njihovih bioloških vrsta – Očuvati biološke vrste značajne za stanišni tip; ne unositi strane (alohtone) vrste i genetski modificirane organizme – Izbjegavati regulaciju vodotoka i promjene vodnog režima vodenih i močvarnih staništa ukoliko to nije neophodno za zaštitu ljudi i naselja 	

2.5.6. Decision on IV. amendments to the Decision on the adoption of the Spatial Plan of the Zagreb County

1. English name of the legally binding text:

Decision on IV. amendments to the Decision on the adoption of the Spatial Plan of the Zagreb County

2. The original name of the legally binding text:

Odluka o IV. izmjenama i dopunama Odluke o donošenju Prostornog plana Zagrebačke županije

3. National gazette No. where it is published:

“Glasnik Zagrebačke županije”, broj 8/05, 8/07, 4/10, 10/11, 14/12 - pročišćeni tekst, 27/15 i 31/15 - pročišćeni tekst

4. Link to the website:

https://www.zpuzz.hr/dld/prilozi/IV-ODLUKA_o_donosenju_IV_Izmjena_PPZZ.pdf

5. Link to the translated legal text:

Not applicable.

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Institute for Physical Planning of the Zagreb County

9. Summary of the legal text in English:

This is an example of a county-level spatial plan. It is a fundamental document for the physical planning of regional self-government units. It elaborates the objectives of physical planning and determines the rational use of space in accordance, to the highest possible extent, with neighbouring counties, spatial development and protection of space. An integral part of the spatial plan of a county may also be the spatial planning of areas with special features, including natural values of the county or City level determined by a special law.

10. Your view:

The Plan should be more specific about the IAS and include concrete and precisely defined activities about control, management, and restoration plans as well as an early warning and rapid response system. It should be aligned with the Act on the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species. IAS are only mentioned in the Plan, and it is pointed out that they should not be introduced in the environment, but no concrete measures are prescribed.

11. Articles relevant for IAS management:

Članak 62.

...

Očuvati biološke vrste značajne za stanišni tip te zaštićene i strogo zaštićene divlje svojte, što podrazumijeva neunošenje stranih (alohtonih) vrsta i genetski modificiranih organizama i osiguranje prikladne brige za njihovo očuvanje te sustavno praćenje stanja.

2.5.7. Decision on amendments to the Decision on the adoption of the Spatial Development Plan of Samobor City

1. English name of the legally binding text:

Decision on amendments to the Decision on the adoption of the Spatial Development Plan of Samobor City

2. The original name of the legally binding text:

Odluka o izmjenama i dopunama Odluke o donošenju Prostornoga plana uređenja Grada Samobora

3. National gazette No. where it is published:

"Službene vijesti Grada Samobora", broj 7/06, 7/07

4. Link to the website:

<https://www.samobor.hr/dokumenti?catId=19>

5. Link to the translated legal text:

Not applicable.

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

City Council of the City of Samobor
Urban Institute of Zagreb city

9. Summary of the legal text in English:

The Spatial Development Plan of Samobor City is the primary document on the spatial planning of the city. The plan is adopted by the City Council - the representative body of a local self-government unit. It defines the direction for the development of activities and purpose of areas and conditions for sustainable and balanced development in the territory of the city.

10. Your view:

The Plan should be more specific about the IAS and include concrete and precisely defined activities about control, management, and restoration plans as well as an early warning and rapid response system. It should be aligned with the Act on the Prevention and Management of the Introduction and Spread of Alien and Invasive Alien Species. IAS are only mentioned in the Plan, and it is pointed out that they should not be introduced in the environment, but no concrete measures are prescribed.

11. Articles relevant for IAS management:

Članak 188a.

...

Za ugrožena i rijetka staništa treba provoditi sljedeće mjere očuvanja:

...

– Treba očuvati biološke vrste značajne za stanišni tip te zaštićene i strogo zaštićene divlje svojte, što podrazumijeva neunošenje stranih (alohtonih) vrsta i genetski modificiranih organizama i osiguranje prikladne brige za njihovo očuvanje te sustavno praćenje stanja.

2.6. SECTOR: WASTE MANAGEMENT

We have reviewed several documents related, but IAS are not mentioned in any of them. The following documents were reviewed:

- Zakon o održivom gospodarenju otpadom (<https://www.zakon.hr/z/657/Zakon-o-održivom-gospodarenju-otpadom>)
- Pravilnik o gospodarenju otpadom (https://narodne-novine.nn.hr/clanci/sluzbeni/2017_11_117_2708.html)
- odluka o donošenju plana gospodarenja otpadom Republike Hrvatske za razdoblje 2017. – 2022. Godine (https://narodne-novine.nn.hr/clanci/sluzbeni/2017_01_3_120.html)
- Uredba o gospodarenju komunalnim otpadom (https://narodne-novine.nn.hr/clanci/sluzbeni/2017_05_50_1138.html)
- Uredba o izmjenama i dopunama Uredbe o gospodarenju komunalnim otpadom (NN 084/2019) (http://digarhiv.gov.hr/arhiva/263/200529/narodne-novine.nn.hr/clanci/sluzbeni/full/2019_09_84_1721.html)
- Uredba o dobrovoljnom sudjelovanju organizacija u sustavu za ekološko upravljanje i neovisno ocjenjivanje (EMAS) (https://narodne-novine.nn.hr/clanci/sluzbeni/2014_06_77_1449.html)

- Uredba o izmjenama i dopunama Uredbe o kategorijama, vrstama i klasifikaciji otpada s katalogom otpada i listom opasnog otpada (https://narodne-novine.nn.hr/clanci/sluzbeni/2009_03_39_881.html)
- Uredba o informiranju i sudjelovanju javnosti i zainteresirane javnosti u pitanjima zaštite okoliša (https://narodne-novine.nn.hr/clanci/sluzbeni/2008_06_64_2177.html).

3. SERBIA

3.1. SECTOR: NATURE CONSERVATION

3.1.1. Law on Nature Protection

1. English name of the legally binding text:

Law on Nature Protection

2. The original name of the legally binding text:

Zakon o zaštiti prirode

3. National gazette No. where it is published:

"Sl. glasnik RS", br. 36/2009, 88/2010, 91/2010 - ispr., 14/2016 i 95/2018

4. Link to the website:

https://www.paragraf.rs/propisi/zakon_o_zastiti_prirode.html

5. Link to the translated legal text:

https://www.ekologija.gov.rs/wp-content/uploads/inspekcija/List_of_regulations.pdf

http://www.pregovarackagrupa27.gov.rs/?wpfb_dl=107

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- **Definitions of alien species**
- **Prevention of introductions**
- **Risk assessments**
- Early warning and **rapid response**
- **Control**, management restoration
- Financing

- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of the Environment, Sector for Nature Protection and Climate Change, Department for Biodiversity

Environmental Protection Agency, Department of Indicators, Reporting and Information System, Department of Indicators and Reporting

Institute for Nature Conservation of Serbia, Department of Biodiversity, Ecological Networks and Sustainable Development, Department of Biodiversity

Institute for Nature Conservation of Vojvodina Province, Sector for Nature Protection

Managers of the protected areas

Property owners and other stakeholders within the ecological network

9. Summary of the legal text in English:

Article 4 (contains the definitions of alien species and invasive alien species)

The introduction of invasive species into protected areas is prohibited by Article 35., separately for the first, second and third level of a protection regime.

Article 82: The introduction of alien species and their hybrids is prohibited. The introduction (paragraph 1) shall be permitted if scientifically and professionally proven that it does not endanger populations or the natural habitat of autochthonous wild species. A risk assessment has to be conducted in the process of obtaining such a permit, also in case of reintroduction, repopulation and captive breeding of alien species. The Ministry shall issue the permit (paragraph 2) based on the acceptability study, upon previously obtained opinion of the institute for nature conservation and the nature impact assessment study. The introduction of alien wild species in controlled conditions shall be possible based on the permit issued by the Ministry by way of a decision. Alien wild species that, by the introduction and/or spreading, endanger other species and overall biodiversity shall be declared as invasive by the Ministry.

In the event of unintentional introduction (Article 83) of allochthonous wild species and hybrids into the wild, or if there is a reasonable doubt that such introduction will occur, the Minister shall stipulate actions to exterminate or prevent further spread of introduced species or hybrids. The competent ministry should permit the introduction of animals for game management (hunting) and plants used in agriculture and forestry only if the risk assessment provides sufficient evidence that there will be no negative impacts on biodiversity.

The regulation and eradication of IAS are rather weak, as active management is only an optional (Article 35) but not a compulsory activity of protected area managers (Article 68).

The Institute for nature conservation could recommend measures on IAS for the Decision on Proclamation of the Protected Area during the preparation of the Protection Study (Article 42). In this case (if no one proposes to delete this measure during the public participation procedure, Article 42) it becomes a legally binding part of the Decision on Proclamation. In these cases, the Institute could oblige the Site Manager to put the IAS measures into the Management Plan (Article 53) by including this into the Conditions of nature protection (Article 9). However, because there is not legally binding list of IAS, stakeholders sometimes oppose the measures on IAS, proposed by the Institute(s).

The Site Managers have to ask permission for herbicide use from the Ministry (Article 19).

Article 11 on the Limitations or Termination of Use opens a possibility to rapid response in case that especially valuable, rare habitats or species become endangered by IAS as a result of land use practice.

10. Your view:

The legally recognised blacklist hasn't been adopted yet. The articles of the Law offer a solid basis for the bylaw on invasive species, but specific regulation hasn't been adopted, nor the activity of IAS control has been recognized in national programs of co-financing protected areas.

Article 35 on protective regimes provides a general ban on the introduction of IAS, but doesn't solve the problem of IAS populations already established in the area. The law treats active management as a possibility, but it is not an obligatory activity of the site managers. This is the case of traditional land-use practices (haymaking, grazing), too.

The regulation of IAS needs a bylaw on IAS, as foreseen by Article 82 and the bylaw on Appropriate assessment foreseen by Article 10. Without the bylaw on IAS containing the list(s) of species, the effectiveness of this regulation is very low, and the success depends on the willingness of the Site Managers and other stakeholders. The legal list will enable the institutes of nature protection to prohibit the use of IAS (through spatial and sectoral plans) even outside the protected areas and ecological network by the Conditions of nature protection (Article 9).

The lack of a legal list of IAS enables stakeholders to refuse the list given in the Conditions of nature protection (Article 9) by our Institute. For example, this year, the Ministry of Agriculture and Forestry asked to delete the measures on IAS from one of the proposals of the Decision on Proclamation because "they are not defined".

The Site Managers have to ask permission for herbicide use from the Ministry (Article 19). This could delay rapid response measures, or only mechanical methods can be used. To our knowledge, the managers always got permission to use herbicides for trunk and stub treatment of IAS).

Article 11 on the Limitations or Termination of Use could be useful only in exceptional cases and on small areas (e. g. it is impossible to get consent from the Ministry of forestry to stop planting poplars or to manage better the plantations because the spreading IAS endangers the river corridors).

11. Articles relevant for IAS management:

Član 4 (Značenje izraza)

2) alohtona vrsta je vrsta koja je u ekosisteme na teritoriji Republike Srbije dospela namernim ili nenamernim unošenjem

29) invazivna alohtona vrsta je alohtona i druga vrsta koja unošenjem u prirodu i/ili širenjem ugrožava biološku raznovrsnost i ekosistemske usluge, a pored toga može da ugrožava i zdravlje ljudi ili prčinjava materijalnu štetu;

43a) ocena prihvatljivosti je postupak kojim se procenjuje da li postoji verovatnoća da sprovođenje planova, osnova, programa, projekata, radova i aktivnosti, koji sami ili u kombinaciji sa drugim planovima, osnovama, programima, projektima, radovima i aktivnostima, mogu imati značajan uticaj na ciljeve očuvanja i celovitost ekološki značajnih područja;

...

Ocena prihvatljivosti

Član 10

Ocena prihvatljivosti za ekološku mrežu (u daljem tekstu: ocena prihvatljivosti) je postupak kojim se ocenjuje moguć uticaj strategije, plana, osnove, programa, projekta, radova ili aktivnosti na ciljeve očuvanja i celovitost područja ekološke mreže.

Postupak ocene prihvatljivosti sprovodi Ministarstvo, organ nadležan za poslove zaštite životne sredine autonomne pokrajine, odnosno organ nadležan za poslove zaštite životne sredine jedinice lokalne samouprave za strategiju, plan, program, projekat, radove ili aktivnosti koji sam ili s drugom strategijom, planom, programom, projektom, radovima ili aktivnostima može imati značajan negativan uticaj na ciljeve očuvanja i negativan uticaj na celovitost ekološki značajnog područja, uz prethodno pribavljene uslove zavoda.

Postupak ocene prihvatljivosti iz stava 2. ovog člana sastoji se od:

1) prethodne ocene, i

2) glavne ocene.

Za strategije, planove, osnove i programe za koje se, u skladu sa posebnim zakonom, sprovodi postupak strateške procene i za projekte, za koje se u skladu sa posebnim zakonom, sprovodi postupak procene uticaja, ocena prihvatljivosti sprovodi se u okviru tih postupaka.

U slučaju vršenja primenjenih geoloških istraživanja mineralnih i drugih geoloških resursa i aktivnih rudarskih objekata koji su u momentu stupanja na snagu ovog zakona odobreni od strane nadležnih organa, ne razmatra se potreba sprovođenja postupka za ocenu prihvatljivosti.

Za radove i aktivnosti za koje se oceni potreba sprovođenja ocene prihvatljivosti nadležni organ taj postupak sprovodi u skladu sa ovim zakonom.

Studija za ocenu prihvatljivosti je poseban dokument koji se prilaže uz Izveštaj o strateškoj proceni uticaja na životnu sredinu, odnosno Elaborat o proceni uticaja projekta na životnu sredinu. Za ostale radove i aktivnosti iz stava 6. ovog člana ova studija se prilaže kao poseban dokument.

Ako se na osnovu ocene prihvatljivosti utvrdi da planovi, osnove, programi, projekti, radovi i aktivnosti mogu imati značajan negativan uticaj na ciljeve očuvanja i negativan uticaj na celovitost ekološki značajnog područja, nadležni organ odbija davanje saglasnosti.

U slučaju sumnje smatra se da planovi, osnove, programi, projekti, radovi i aktivnosti, mogu imati značajan negativan uticaj na ciljeve očuvanja i negativan uticaj na celovitost ekološki značajnog područja.

Ako se na osnovu ocene prihvatljivosti utvrdi da planovi, osnove, programi, projekti, radovi i aktivnost mogu imati značajan negativan uticaj na ciljeve očuvanja i negativan uticaj na celovitost ekološki značajnog područja nadležni organ daje saglasnost, ako:

1) ne postoji drugo alternativno rešenje;

2) u odnosu na ekološki značajna područja u kojima se nalazi makar jedan prioritetni tip staništa i/ili prioritetna vrsta, samo ako postoje imperativni razlozi preovladavajućeg javnog interesa, koji se odnose na zaštitu zdravlja ljudi i javne sigurnosti, na korisne efekte od primarne važnosti za životnu sredinu i ako postoje drugi preovladavajući razlozi od javnog interesa uz prethodno pribavljeno mišljenje Evropske komisije. U odnosu na sve ostale delove ekološke mreže samo ako postoje drugi imperativni razlozi od javnog interesa, uključujući interese socijalne ili ekonomske prirode, koji preovladavaju u odnosu na interes očuvanja ovih područja;

3) je kompenzacijske mere neophodne za očuvanje sveukupne koherentnosti ekološke mreže iz člana 12. ovog zakona, moguće sprovesti pre davanja odobrenja na planove, osnove, programe, projekte, radove i aktivnosti.

Nadležni organ za sprovođenje postupka ocene prihvatljivosti može da obrazuje stručnu komisiju, odnosno ovlasti stručno lice za ocenu studije o oceni prihvatljivosti uz prethodno pribavljeno mišljenje zavoda o ispunjenosti uslova zaštite prirode iz člana 9. ovog zakona, a u skladu sa posebnim zakonom.

Vlada bliže propisuje postupak, sadržinu, rokove, način sprovođenja ocene prihvatljivosti u odnosu na ciljeve očuvanja ekološki značajnog područja, kao i način obaveštavanja javnosti, utvrđivanja preovladavajućeg javnog interesa i kompenzacijskih mera.

Član 9 (Uslovi zaštite prirode)

U postupku izrade planova, osnova, programa, projekata, radova i aktivnosti iz člana 8. ovog zakona pribavljaju se uslovi zaštite prirode koje izdaje nadležni zavod za zaštitu prirode (u daljem tekstu: zavod).

Akt o uslovima zaštite prirode sadrži naročito:

...

9) kompenzacijske mere, ako postoji osnov, u skladu sa ovim zakonom.

Član 11 (Ograničenja ili prekid korišćenja)

Ako način ili obim korišćenja prirodnih resursa neposredno ugrožava opstanak neke vrste, njenog staništa ili prirodnog ekosistema, ministar nadležan za poslove zaštite životne sredine (u daljem tekstu: ministar) naredbom može ograničiti, privremeno ili trajno obustaviti korišćenje po prethodno pribavljenom mišljenju ministarstva nadležnog za poslove poljoprivrede, šumarstva i vodoprivrede, ministarstva nadležnog za poslove rudarstva i energetike i ministarstva nadležnog za poslove infrastrukture.

Za ograničenja kojima su podvrgnuti, na osnovu naredbe iz stava 1. ovog člana, vlasnici ili korisnici prirodnih resursa imaju pravo na naknadu srazmerno umanjenom prihodu.

Visina naknade utvrđuje se sporazumno, a u slučaju spora o visini naknade odlučuje sud.

Naknada iz stava 3. ovog člana isplaćuje se na teret sredstava budžeta Republike Srbije.

Vlasnik ili korisnik prirodnih resursa koji ne postupi po naredbi iz stava 1. ovog člana odgovara za štetu nastalu na vrsti, staništu ili prirodnom ekosistemu, koja je nastala nakon donošenja naredbe.

Član 19 (Upotreba bioloških, biotehničkih i hemijskih sredstava u zaštiti ekosistema i zaštićenim područjima)

Radi zaštite ekosistema dozvoljena je upotreba bioloških, biotehničkih i hemijskih sredstava u skladu sa zakonom.

U zaštićenim područjima mogu se koristiti biološka i biotehnička sredstva radi očuvanja biološke raznovrsnosti.

Hemijska sredstva u zaštićenim područjima mogu se koristiti u skladu sa propisanim režimima zaštite, uz odobrenje ministarstva nadležnog za poslove poljoprivrede, šumarstva i vodoprivrede a uz saglasnost Ministarstva.

Član 35 (Režimi zaštite)

Režim zaštite I stepena:

- 1) zabranjuje korišćenje prirodnih resursa i izgradnju objekata;
- 2) ograničava radove i aktivnosti na naučna istraživanja i praćenje prirodnih procesa, kontrolisanu posetu u obrazovne, rekreativne i opštekulturne svrhe, kao i sprovođenje zaštitnih, sanacionih i drugih neophodnih mera u slučaju požara, elementarnih nepogoda i udesa, **pojava biljnih i životinjskih bolesti i prenamnožavanja štetočina**, uz saglasnost Ministarstva.

...

Režim zaštite II stepena:

- 1) zabranjuje izgradnju industrijskih, metalurških i rudarskih objekata, asfaltnih baza, rafinerija nafte, kao i objekata za skladištenje i prodaju derivata nafte i tečnog naftnog gasa, termoelektrana i vetrogeneratora, luka i robno-trgovinskih centara, aerodroma, uslužnih skladišta, magacina i hladnjača, vikendica i drugih porodičnih objekata za odmor, eksploataciju mineralnih sirovina, treseta i materijala rečnih korita i jezera, preoravanje prirodnih travnjaka, privredni ribolov, **unošenje invazivnih alohtonih vrsta**, izgradnju objekata za reciklažu i spaljivanje otpada i obrazovanje deponija otpada;

...

Režim zaštite III stepena:

- 1) zabranjuje izgradnju rafinerija nafte i objekata hemijske industrije, metalurških i termoenergetskih objekata, skladišta nafte, naftnih derivata i prirodnog gasa, **unošenje invazivnih alohtonih vrsta** i obrazovanje deponija;

Član 42 (Studija zaštite)

Predlog akta o proglašenju zaštićenog područja zasniva se na naučnoj i/ili stručnoj osnovi - studiji zaštite, kojom se utvrđuju vrednosti područja koje se predlaže za zaštitu i način upravljanja područjem.

Inicijativu za proglašenje zaštićenog područja mogu podneti subjekti zaštite prirode iz člana 6. ovog zakona.

Studiju zaštite izrađuje zavod, koji o pokrenutoj inicijativi i postupku izrade studije obaveštava lokalno stanovništvo, vlasnike i korisnike područja koje je predmet studije i saraduje sa njima.

Studija zaštite sadrži obrazloženje predloga za pokretanje postupka zaštite, opis prirodnih, stvorenih i predeonih odlika prirodnog dobra sa tematskim kartografskim priložima, temeljne vrednosti prirodnog dobra, ocenu stanja životne sredine područja, predložene režime zaštite, kartografski prikaz sa ucrtanim granicama i režimima zaštite na osnovu podataka iz katastra nepokretnosti, podataka iz katastra istražnih i eksploatacionih polja i prostora, mineralnih resursa i podzemnih voda, opis granica, koncept zaštite i unapređenja, moguće perspektive održivog razvoja, analizu zainteresovanih strana, dokumentaciju o usklađivanju potreba zaštite sa zainteresovanim stranama, način upravljanja, procenu

socioekonomskih efekata zaštite, razvoja i održivog korišćenja, potrebnu kadrovsku i tehničku opremljenost upravljača, eventualni predlog upravljača i druge elemente od značaja za proglašenje zaštićenog područja.

Sredstva za izradu studije zaštite obezbeđuju se u budžetu Republike Srbije, budžetu autonomne pokrajine, odnosno budžetu jedinice lokalne samouprave.

Područje za koje je pokrenut postupak zaštite smatra se zaštićenim u skladu sa ovim zakonom, a do donošenja akta o proglašenju primenjuju se mere propisane u studiji zaštite iz stava 1. ovog člana.

Postupak zaštite prirodnog područja je pokrenut kada zavod dostavi studiju zaštite nadležnom organu i Ministarstvo obavesti javnost o postupku pokretanja zaštite prirodnog područja na internet stranici Ministarstva.

Ministarstvo obaveštava javnost o postupku pokretanja zaštite prirodnog područja I, II i III kategorije na internet stranici Ministarstva.

Član 53 (Sadržaj plana upravljanja)

Plan upravljanja sadrži naročito:

...

4) dugoročne ciljeve zaštite, očuvanja i unapređenja i održivog razvoja;

...

6) prioritetne aktivnosti i mere na zaštiti, održavanju, praćenju stanja i unapređenju prirodnih i stvorenih vrednosti;

Član 68* (Obaveze upravljača)

U upravljanju zaštićenim područjem upravljač, je dužan naročito da:

1) čuva zaštićeno područje i sprovodi propisane režime zaštite;

2) unapređuje i promoviše zaštićeno područje;

...

6) obezbedi nadzor nad sprovođenjem uslova i mera zaštite prirode;

Član 82 (Unošenje alohtonih divljih vrsta u slobodnu prirodu)

Zabranjeno je unošenje alohtonih divljih vrsta i njihovih hibrida u slobodnu prirodu na području Republike Srbije.

Izuzetno, unošenje iz stava 1. ovog člana je dozvoljeno ako je naučno i stručno dokazano i prihvatljivo s gledišta zaštite prirode i održivog upravljanja, odnosno ako se unošenjem ne ugrožavaju populacije ili prirodno stanište autohtonih divljih vrsta.

Ministarstvo izdaje dozvolu iz stava 2. ovog člana na osnovu studije prihvatljivosti po prethodno pribavljenom mišljenju zavoda i studije o proceni uticaja na prirodu, uz saglasnost ministarstva nadležnog za poslove poljoprivrede, šumarstva i vodoprivrede.

Unošenje alohtonih divljih vrsta u kontrolisanim uslovima moguće je na osnovu dozvole koju izdaje Ministarstvo rešenjem, po pribavljenom mišljenju zavoda ili druge ovlašćene naučne i stručne organizacije da ne postoji opasnost po autohtone vrste, ukoliko dođe do slučajnog ili namernog bega primeraka u slobodnu prirodu Republike Srbije.

Alohtone divlje vrste koje unošenjem i/ili širenjem ugrožavaju druge vrste i ukupnu biološku raznovrsnost na području Republike Srbije proglašava invazivnim Ministarstvo, na osnovu opšteprihvaćenih međunarodnih kriterijuma, naučnih saznanja i obaveza preuzetih iz međunarodnih ugovora i međunarodnih dokumenata, na predlog ovlašćenih naučnih ili stručnih organizacija, a po prethodno pribavljenom mišljenju ministarstva nadležnog za poslove poljoprivrede, šumarstva i vodoprivrede.

Aktom iz stava 5. ovog člana propisuju se mere kontrole i suzbijanja invazivnih vrsta.

Član 83 (Nenamerno unošenje alohtonih divljih vrsta)

Ako dođe do nenamernog unošenja alohtonih divljih vrsta i njihovih hibrida u slobodnu prirodu na područje Republike Srbije, ili ako postoji opravdana sumnja da će doći do takvog unošenja, ministar propisuje mere postupanja u cilju uništavanja ili sprečavanja daljeg širenja unetih alohtonih divljih vrsta i njihovih hibrida.

....

3.1.2. Decree on the Ecological Network

1. English name of the legally binding text:

Decree on the Ecological Network

2. The original name of the legally binding text:

Uredba o ekološkoj mreži

3. National gazette No. where it is published:

Official Gazette of the RS" No 102/10 of 30.12.2010

4. Link to the website:

<http://www.zzps.rs/wp/pdf/Uredba%20o%20ekoloskoj%20mrezi.pdf>
<http://otvorenavlada.rs/uredba-o-ekoloskoj-mrezi00378-lat-doc/>

5. Link to the translated legal text:

-

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of the Environment, Sector for Nature Protection and Climate Change, Department for Biodiversity

Environmental Protection Agency, Department of Indicators, Reporting and Information System, Department of Indicators and Reporting

Institute for Nature Conservation of Serbia, Department of Biodiversity, Ecological Networks and Sustainable Development, Department of Biodiversity

Institute for Nature Conservation of Vojvodina Province, Sector for Nature Protection

Stakeholders of the ecological network

9. Summary of the legal text in English:

The national ecological network consists of the protected areas and important habitats of protected and strictly protected species listed in Annex 1, international ecological corridors listed in the Anex2 (in Vojvodina, the regional and local corridors are also defined by spatial plans in accordance with this Decree). The Decree allows the buffer zone if it is necessary.

Article 6 describes the protective measures, saying that besides the measures defined by the Law on the Nature Protection and its bylaws on species and habitats and the measures defined by Decrees on Protection of protected areas, further protective measures of the ecological network are listed in Annex 3.

The set of measures for the core areas and corridors does not mention the IAS, but prohibit the destruction and degradation of habitats (1), requires the active management of corridors to maintain their natural and seminatural elements (4) and foresees the stimulation of the traditional land-use practices (5).

The set of measures for buffer zone prohibit the activities that could enhance the invasions of IAS from the surroundings into the ecological network (2).

10. Your view:

Some of the measures are very useful. The active management in this Decree is an obligation (in the Law, it is only a possibility); however, it only applies to the corridors. Noting that most of them are watercourses and canals with strips of different vegetation types, maintenance is necessary. The cooperation with water authorities is not satisfying - the principles of the Water Framework Directives are only very slowly transposed into the national system. We hope that this measure will be in use in the near future.

Not only the introduction of IAS is prohibited in the buffer zone, but all forms of activities could lead to invasions. These measures are widely used in the Conditions for Nature Protection (Article 9, Law on Nature Protection) for spatial plans at all levels and sectoral plans. The efficiency depends on stakeholders. Some of them accept the list of IAS defined by our Institute - for example, the measures and the list of most dangerous alien plants is included in spatial plans of regional and local levels in Vojvodina, and some infrastructure development plans. Other stakeholders (agriculture, forestry) most often refuse the list given in the Conditions of nature protection.

11. Articles relevant for IAS management:

Član 6.

Zaštita ekološke mreže obezbeđuje se sprovođenjem propisanih mera zaštite radi očuvanja biološke i predeone raznovrsnosti, održivog korišćenja i obnavljanja prirodnih resursa i dobara i unapređenja zaštićenih područja, tipova staništa i staništa divljih vrsta u skladu sa zakonom kojim se uređuje zaštita

prirode, i drugim propisima, kao i aktima o proglašenju zaštićenih područja i međunarodnim ugovorima....

Na području ekološke mreže primenjuju se mere, metode i tehničko-tehnološka rešenja sa ciljem očuvanja povoljnog stanja ekološki značajnih područja i unapređivanja narušenog stanja delova ekološke mreže.

Pored mera zaštite iz stava 1. ovog člana, mere zaštite date su i u Prilogu 3. – Mere zaštite ekološke mreže, koji je odštampan uz ovu uredbu i čini njen sastavni deo.

Prilog 3

MERE ZAŠTITE EKOLOŠKE MREŽE

1) zabranjeno je uništavanje i narušavanje staništa kao i uništavanje i uznemiravanje divljih vrsta;... 4) planiranjem namene površina, kao i aktivnim merama zaštite očuvati i unaprediti prirodne i poluprirodne elemente koridora...;5) stimulisati tradicionalne vidove korišćenja prostora koji doprinose očuvanju i unapređivanju biodiverziteta;

MERE ZAŠTITE ZA ZAŠTITNU ZONU

...2) zabranjeno je obavljanje aktivnosti koje mogu dovesti do prodiranja i širenja invazivnih vrsta iz okruženja;

3.1.3. Decree on the Protection Regimes

1. English name of the legally binding text:

Decree on the Protection Regimes

2. The original name of the legally binding text:

Uredba o režimima zaštite

3. National gazette No. where it is published:

“Official Gazette of the RS” No 31/12 of 12.04.2012

4. Link to the website:

www.zzps.rs/wp/pdf/Uredba_o_rezimima_zastite.pdf

5. Link to the translated legal text:

No translation

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of the Environment, Sector for Nature Protection and Climate Change, Department for Biodiversity

Institute for Nature Conservation of Serbia, Department of Biodiversity, Ecological Networks and Sustainable Development, Department of Biodiversity

Institute for Nature Conservation of Vojvodina Province, Sector for Nature Protection

Managers of the protected areas

9. Summary of the legal text in English:

The Decree provides provisions on the protective measures as described by Article 35 of the Law on Nature Protection with the aim to enhance their use in the Decrees in protected areas.

The Decree is declaring (Articles 4 and 5) that the prohibitions in 2nd and 3rd regime are defined by Article 35 of the Law. The measure on the use of herbicides (Article 4, paragraph 14 and Article 5 paragraph 15) is also copied from Article 19 of the Law.

There are some better-formulated measures for IAS:

In the 1st (strictly protected) regime (Article 3) the cases when some necessary measures are allowed include the overgrowth of the plant and animal populations (the Law refers only to „pests”).

Paragraph 13. of Article 4 (2nd regime) offers a possibility to restrict the introduction of alien species. Paragraph 11. of Article 4 (s2nd regime) restrict the forest management on the plans that ensure the moderate enlargement of areas of forest ecosystems and the improvement of its viability, floristic and physical structure.

Paragraph 13. of Article 5 (3th regime) restrict the forest monocultures of alien species on the needs of the restoration of degraded sites and erosion control

Article 8 declares that active measures aimed to ensure the favourable status of protected species and habitats, which may be defined by the Decision on Proclamation of protected areas, in accordance with the Law on Nature Protection.

10. Your view:

Paragraph 13. of Article 4 offers a possibility to restrict the introduction of alien species with the second-level protection regime. In the future, it could be useful to ban an introduction of a species that would not be included on the legal list of IAS (e.g. species spreading only in certain regions).

Paragraph 11 of Article 4 opens a possibility for forest restoration efforts in the second-level protection regime.

Restricting the forest monocultures of alien species on the needs of the restoration of degraded sites and erosion control is important. As the forest monocultures enhance the plant invasions (several species are spreading in poplar and black locust plantations) it is a good measure; the problem is that the hybrid poplars are derived from both native (*Populus nigra*) and alien parental species.

Article 8 provides provisions on which the activities of IAS control can be included in the Decision on Proclamation of a protected area.

11. Articles relevant for IAS management:

Član 3. Režim zaštite I stepena

...ograničava radove i aktivnosti na:

...

4) sprovođenje zaštitnih, sanacionih i drugih neophodnih mera u slučaju požara, ... bolesti i prenamnoženja određenih biljnih i životinjskih vrsta.

Član 4. Režim zaštite II stepena

...radove i aktivnosti ograničava na:

...

13) Unošenje vrsta stranih za biljni i životinjski svet regije u kojoj se nalazi zaštićeno područje;

14) Primenu hemijskih sredstava na upotrebu veštačkih đubriva na obradivim površinama, a za hemijska sredstva za zaštitu bilja uz saglasnost ministarstva nadležnog za poslove zaštite prirode.

Član 5. Režim zaštite III stepena

...radove i aktivnosti ograničava na:

...

13. formiranje šumskih monokultura alohtonih vrsta na šumskom zemljištu, osim u cilju sprečavanje erozije i sanacije devastiranih i neplodnih površina...15. Primenu hemijskih sredstava na upotrebu veštačkih đubriva na obradivim površinama, a za hemijska sredstva za zaštitu bilja uz saglasnost ministarstva nadležnog za poslove zaštite prirode.

Član 8

Aktivne mere zaštite u režimu zaštite II, odnosno proaktivne mere zaštite u režimu zaštite III stepena su aktivnosti kojima se obezbeđuje povoljno stanje zaštićenih vrsta i prioritetnih tipova staništa. Ove mere bliže se utvrđuju aktom o proglašenju zaštićenog područja, u skladu sa zakonom kojim se uređuje zaštita prirode.

3.1.4. Decree on Special Nature Reserve “Zasavica

1. English name of the legally binding text:

Decree on Special Nature Reserve “Zasavica”

2. The original name of the legally binding text:

Uredba o proglašenju specijalnog rezervata prirode “Zasavica”

3. National gazette No. where it is published:

“Službeni Glasnik RS”, broj 54/2019

4. Link to the website:

<https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/reg/viewAct/5f4dd9d7-89e5-4c4b-9684-f430ed7087fb>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Nature Conservation Movement Sremska Mitrovica

9. Summary of the legal text in English:

This implementing act on Zasavica Special Nature Reserve provides a general prohibition of the introduction of alien species in the protected area. It is prohibited (Article 5) to renew or to enlarge the (forest) plantations of invasive species. Article 8 restricts the introduction and breeding or raising of alien species on species that proved to be non-invasive in the Pannonian region.

With this regulation management authority of the Landscape Park is given a clear mandate to, among others, work on prevention of the spread of alien plants and animals, especially of those, which are invasive.

10. Your view:

The PA decree of protection is binding. However, the implementation of the prescribed measures depends on national programs for co-financing PA management in Serbia, which do not recognize IAS among priority activities.

11. Articles relevant for IAS management:

Član 5.

Na području Specijalnog rezervata prirode „Zasavica”, na površinama na kojima je utvrđen režim zaštite III stepena, osim zabrana radova i aktivnosti koje su utvrđene članom 35. Zakona o zaštiti prirode, zabranjuje se i:

...

4) unošenje invazivnih biljnih i životinjskih vrsta, kao i obnova i širenje zasada invazivnih drvenastih vrsta;

Član 8.

Na području zaštitne zone Specijalnog rezervata prirode „Zasavica Radovi i aktivnosti ograničavaju se na:

...

3) unošenje i gajenje alohtonih vrsta, i to na vrste koje nisu invazivne u Panonskom regionu;

3.2. SECTOR: AGRICULTURE

3.2.1. Decree on measures of control and extirpation of the weed *Ambrosia artemisiifolia* L. (spp.)

1. English name of the legally binding text:

Decree on measures of control and extirpation of the weed *Ambrosia artemisiifolia* L. (spp.)

2. The original name of the legally binding text:

Uredba o merama za suzbijanje i uništavanje korovske biljke ambrozija – *Ambrosia artemisiifolia* L. (spp.)

3. National gazette No. where it is published:

Službeni glasnik RS br. 69/2006

4. Link to the website:

otvorenavlada.rs/uredba-suzbijanje-ambrozije149a-lat-doc

5. Link to the translated legal text:

No translation

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management** restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of agriculture, forestry and water management
Property owners and users of the state-owned land

9. Summary of the legal text in English:

Article 1 declares that the measures have to be implemented in the agricultural, forest, water and urban areas. Article 2 lists the subjects who are obliged to control and eradicate ragweed: owners and users of agricultural land (list of the cultures by cadastre) or urbanised land, managers of watercourses and canals including their banks, companies responsible for maintaining roads and railways, parks, national parks, cemeteries and other green areas, as well as owners and users of abandoned land.

Article 3 defines the period (before flowering) and the methods (agrotechnical, mechanical, chemical) or eradication.

Article 4 states that the activities are supervised by the Ministry of agriculture, forestry and water management

10. Your view:

The measures are foreseen for every land use types defined in cadastre, and the land users are obliged to control ragweed. The lack of inspectors (there would be a need for N army of the inspectors!) and the low fines (when the 3times mowing per season is more expensive than the fine) are the most important shortcomings. The local authorities are obliged to ensure regular mowing of public places and the spraying of the most conspicuous degraded areas. Still, there are plenty of abandoned agricultural plots and small settlements.

11. Articles relevant for IAS management:

Član 1.

Ovom uredbom utvrđuju se mere za suzbijanje i uništavanje korovske biljke ambrozija – *Ambrosia artemisiifolia* L. (spp.) (u daljem tekstu: ambrozija), radi sprečavanja šteta koje ona nanosi, i to na:

- 1) površinama poljoprivrednog zemljišta;
- 2) površinama šumskog zemljišta;
- 3) površinama građevinskog zemljišta;
- 4) površinama vodenog zemljišta.

Član 2.

Suzbijanje i uništavanje ambrozije sprovode:

- 1) vlasnici i korisnici površina poljoprivrednog obrađenog i neobrađenog zemljišta (vrtovi i bašte, njive, voćnjaci, vinogradi, livade i dr.), šuma, lovišta;
- 2) vlasnici i korisnici građevinskog zemljišta, izgrađenog i neizgrađenog;
- 3) subjekti koji upravljaju vodotokovima i kanalima i površinama uz vodotokove i kanale;
- 4) subjekti koji održavaju površine uz javne puteve i železničke pruge;
- 5) subjekti koji upravljaju parkovima, nacionalnim parkovima, grobljima i drugim zelenim površinama;
- 6) vlasnici i korisnici zapuštenih površina pored puteva, staza, kao i utrina, parloga, degradiranih pašnjaka, zapuštenih parkova, iskrčenih mesta u šumama i dr.

Član 3.

Subjekti iz člana 2. ove uredbe dužni su da u toku vegetacione sezone, do početka fenološke faze cvetanja, na navedenim površinama suzbijaju i uništavaju ambroziju, i to primenom sledećih mera:

- 1) agrotehničkih mera – obrada zemljišta (oranje, tanjiranje), nega useva (okopavanje, kultivisanje, plevljenje) i dr.;
- 2) mehaničkih mera – košenje, čupanje, spaljivanje biljaka i dr.;
- 3) hemijskih mera – upotreba herbicida sa kontaktnim i totalnim delovanjem.

Član 4.

Sprovođenje ove uredbe nadzire Ministarstvo poljoprivrede, šumarstva i vodoprivrede.

3.3. SECTOR: FORESTRY

3.3.1. Law on forests

1. English name of the legally binding text:

Law on forests

2. The original name of the legally binding text:

Zakon o šumama

3. National gazette No. where it is published:

"Sl. glasnik RS", br. 30/2010, 93/2012, 89/2015 i 95/2018 - dr. zakon

4. Link to the website:

<https://www.paragraf.rs/propisi/zakon-o-sumama-republike-srbije.html>

5. Link to the translated legal text:

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6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Forest users and Forest owners

9. Summary of the legal text in English:

Grazing in forests is in general forbidden. In exceptional cases, forest owners may allow grazing, if that is foreseen in the forest management plans and if the forest is not in a phase of rejuvenation.

10. Your view:

The law on forests does not treat invasive species at all. Grazing is restricted due to the negative impact on the rejuvenation of forests.

11. Articles, relevant for IAS management:

Član 52. Paša u šumi

Paša, brst ili žirenje u šumi može da se vrši samo uz dozvolu sopstvenika, odnosno korisnika šuma, koji može izdati dozvolu samo ako su paša, brst ili žirenje predviđeni planovima gazdovanja šumama i ako šuma nije u fazi obnavljanja.

Paša je dozvoljena na šumskom zemljištu dok se ne izvrši njegovo pošumljavanje.

Držaoci stoke mogu da koriste šumu za pašu, brst ili žirenje, samo pod nadzorom čuvara stoke.

Sopstvenik, odnosno korisnik šuma utvrđuje uslove pod kojima može da se vrši paša, brst ili žirenje (vreme paše, brsta ili žirenja, vrsta stoke, broj grla, visinu naknade, puteve za pogon stoke i slično).

3.3.2. Forest development strategy

1. English name of the legally binding text:

Forest development strategy

2. The original name of the legally binding text:

Strategija razvoja šuma Republike Srbije

3. National gazette No. where it is published:

„Službeni Glasnik RS”, broj 59 od 11. jula 2006.

4. Link to the website:

<https://upravazasume.gov.rs/wp-content/uploads/2015/12/Strategija-razvoja-sumarstva.pdf>

5. Link to the translated legal text:

-

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

State and all relevant forest actors – forest users and forest owners

9. Summary of the legal text in English:

The objective is the conservation, the appropriate enhancement and the sustainable utilisation and evaluation of forest biodiversity and introduction of exotic species are recognized as one of the threats.

10. Your view:

-

11. Articles relevant for IAS management:

Chapter 4.3.2. Biodiversity conservation and enhancement in forest areas

3.4. SECTOR: WATER MANAGEMENT

Legal acts on water management do not contain specific provisions on invasive alien species. For now, invasive species are only mentioned by definition and importance in the Water Management Strategy on the territory of RS until 2034.

In the Republic of Serbia, the development of the Water Management Plan is underway, which is the basic instrument that implements the principles of WFD and represents a strategic framework for integrated water management. Assistance to the Republic of Serbia in the development of the first Water Management Plan on the territory of the Republic of Serbia for the period 2021–2027 was provided through the EU Twinning project "Support to policy planning in the water management sector", whose main goal is to strengthen the capacity of relevant institutions dealing with water management, related institutions, academia and other stakeholders - in accordance with EU standards and requirements.

As part of the development of the said Plan, a Report on significant issues in the field of water management in the Republic of Serbia was prepared (Ministry of Agriculture, Forestry and Water Management - Republic Water Directorate, October 2019). The report states that invasive species are one of the related issues in the identified significant issues for watersheds in the territory of the Republic of Serbia (such as: organic surface water pollution, surface water pollution with nutrients, hydromorphological changes, ...). It is stated below that the mandatory application of measures is in accordance with the Regulation of the European Parliament and the Council of Europe no. 1143/2014 on prevention and management of the introduction and spread of invasive allochthonous species.

3.4.1. Law on waters

1. English name of the legally binding text:

Law on waters

2. The original name of the legally binding text:

Zakon o vodama

3. National gazette No. where it is published:

"Sl. glasnik RS", br. 30/2010, 93/2012, 101/2016, 95/2018 i 95/2018 - dr. zakon

4. Link to the website:

https://www.paragraf.rs/propisi/zakon_o_vodama.html

5. Link to the translated legal text:

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6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration (monitoring)**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

State institutions for monitoring of waters in cooperation with hydrometeorological institutions

9. Summary of the legal text in English:

The act describes the provisions for the monitoring of surface waters in relation to the ecological potentials. It also contains provisions on waters in protected areas and on additional requirements for monitoring.

10. Your view:

Act of waters does not consider IAS a threat.

11. Articles relevant for IAS management:

4.3.5. Sistematsko praćenje statusa voda i zaštićenih oblasti - monitoring
Monitoring statusa voda
Član 107

3.4.2. Water management strategy on the territory of the Republic of Serbia until 2034

1. English name of the legally binding text:

Water management strategy on the territory of the Republic of Serbia until 2034

2. The original name of the legally binding text:

Strategija upravljanja vodama na teritoriji Republike Srbije do 2034. godine

3. National gazette No. where it is published:

"Sl. glasnik RS", br. 3/2017

4. Link to the website:

<https://www.paragraf.rs/propisi/strategija-upravljanja-vodama-u-srbiji-do-2034.html>
<http://www.rdvode.gov.rs/lat/upravljanje-vodama.php>
http://www.rdvode.gov.rs/doc/dokumenta/javne-rasprave/Izvestaj-o-znacajnim-pitanjima_nacrt_final_191029.pdf

5. Link to the translated legal text:

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6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- **Definitions of alien species**
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**

- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture, Forestry and Water Management - Republic Water Directorate
Provincial Secretariat for Agriculture, Water Management and Forestry
Public water management company "Srbija vode"
Public water management company "Vode Vojvodine"

9. Summary of the legal text in English:

The Strategy is a planning document that determines the long-term directions of water management on the territory of the Republic of Serbia.

10. Your view:

The measures are still not identified. It should be checked with the responsible authorities how many actual measures will be implemented for alien plants in the future Management plan. With better scientific data on the impacts of alien plant species on river ecosystems, more specific actions on alien plants could be planned in the updated management plan.

11. Articles relevant for IAS management:

Invasive species are mentioned in the chapter, providing some general data, which were collected from the competent institutions of the Republic of Serbia (see Chapter II. Assessment of the current state of water management - 2.1. Assessment of the state of water resources and water regime in the Republic of Serbia - 2.1.1. Natural factors).

The strategy emphasises the impact of invasive species on global biodiversity. It states aquatic ecosystems in the Republic of Serbia, and especially those located in the northern part of the country, are under the strong pressure of biological invasions. As part of the southern invasion corridor of Europe, the role of the Danube River is also mentioned, which makes the area extremely important for monitoring, defining control programs, and combating aquatic invasions.

The main vectors of the introduction of alien species into aquatic ecosystems in the Republic of Serbia are: spontaneous secondary spread due to climate change, microclimatic changes and changes in habitat characteristics, inadequate biomanipulation, transport with cultivated plants, ...

3.5. SECTOR: SPATIAL PLANNING

3.5.1. Planning and building act

1. English name of the legally binding text:

Planning and building act

2. The original name of the legally binding text:

Zakon o planiranju i izgradnji

3. National gazette No. where it is published:

"Off. Herald of RS", Nos. 72/2009, 81/2009 - correction, 64/2010 - decision of the CC, 24/2011, 121/2012, 42/2013 - decision of the CC, 50/2013 - decision of the CC, 98/2013 - decision of the CC, 132/2014, 145/2014, 83/2018, 31/2019, 37/2019 - other act and 9/2020

4. Link to the website:

https://www.paragraf.rs/propisi_download/zakon_o_planiranju_i_izgradnji.pdf

5. Link to the translated legal text:

<https://www.paragraf.rs/propisi/planning-and-building-act-serbia.html>

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Construction, Transport and Infrastructure
 Provincial Secretariat for Urban Planning and Environmental Protection
 Local municipalities – departments responsible for planning and construction (including permits for construction and building) at the local level
 Public companies of local municipalities responsible for spatial planning at the local level

9. Summary of the legal text in English:

The Planning and Building Act defines the principles of sustainable land use and nature protection at all levels of planning and project development (planning documents contain a chapter on nature protection). Planning documents determine the land use for 10–20 (maximum 25) years, including the rules for the establishment of green surfaces other than forests.

The Planning and Building Act does not contain specific provisions on invasive alien species. However, It provides a legal basis for integrating the existing legal regulations, including measures on nature protection and protected areas, into spatial planning documents on all levels.

The development of the surroundings of protected areas is regulated by a special type of plans. The spatial plan of a special-purpose area is adopted for areas that require a special regime of organization, development, use and protection of space, including areas with protected natural/landscape values.

10. Your view:

Spatial plans are important tools for ensuring the integration of nature protection policies into development plans and putting them in practice by other sectors. This law regulates the establishment of urban and rural green areas such as parks and other green surfaces in settlements, recreation areas, shelterbelts etc.

Plans referring to spatial entities with protected areas or elements of the ecological network could restrict land use in accordance with the measures defined by the act of protection, including the ban on the use of IAS. The efficiency of spatial plans depends on the strength of the basic regulation(s) on IAS. The lack of the act/decreed defining the list of IAS in Serbia opens the possibility for the authorities at all levels to reject the lists proposed by nature protection Institutes and to postpone putting the restrictions in practice until the more detailed regulations on IAS will be developed.

11. Articles relevant for IAS management:

Article 3 - Principles of Development and Use of Space: 1) Sustainable development through an integral approach to planning; ...5) Protection and sustainable use of natural resources; ... 12) Preservation of landscape specificity; 13) Horizontal and vertical coordination

Article 15 - The Spatial Plan of the Republic of Serbia includes in particular: ...4) Principles and proposals for the protection, landscaping and development of nature and natural systems; ...9) Measures of protection, development and improvement of natural resources

Article 18 - A regional spatial plan includes, in particular, the following: ... 5) Principles of and rules of protection, landscaping and development of nature and natural systems; ...10) Measures of protection, landscaping and improvement of natural resources and immovable cultural property;

Article 20 - The spatial plan of a local government unit includes, in particular, the following: ... 7) Planned protection, landscaping, use and development of natural and cultural assets and the environment;

Article 26 - The general zoning plan includes, in particular, the following: ...7) Measures for the protection of ... and protected natural entreties;

Article 28 - A detailed zoning plan includes in particular the following: ... 7) Measures for the protection of ... and protected natural entreties;

Article 29 - The integral parts of a spatial plan for an area of special use, a spatial plan for a local government unit, and urban plans are: 1) Development rules; ...

Article 30 - The developing rules included in the spatial plan of a special-purpose area, spatial plan of a local government unit and urban plans include the following in particular: ...2) Urban and other conditions for developing and building of surfaces and facilities for public purposes and...4) Conditions and measures for the protection of natural resources and ...and the protection of natural and cultural heritage, the environment and human life and health; ...The developing rules for the parts covered by planning documents for which further planning elaboration is prescribed have a guiding character for further planning elaboration.

3.6. SECTOR: WASTE MANAGEMENT

We revied the Waste Management Strategy for the period 2010–2019 (<https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/reg/viewAct/011043b3-7cee-4488-ba2c-e95f95271713>), however, IAS are not addressed in this document.

4. SLOVENIA

4.1. SECTOR: NATURE CONSERVATION

4.1.1. Nature Conservation Act

1. English name of the legally binding text:

Nature Conservation Act

2. The original name of the legally binding text:

Zakon o ohranjanju narave

3. National gazette No. where it is published:

Uradni list RS, št. 96/04 – uradno prečiščeno besedilo, 61/06 – ZDru-1, 8/10 – ZSKZ-B, 46/14, 21/18 – ZNOrg in 31/18

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO1600>

5. Link to the translated legal text:

<http://www.pisrs.si/Pis.web/npbDocPdf?idPredpisa=ZAKO6877&idPredpisaChng=ZAKO1600&type=doc&lang=EN>

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- **Definitions of alien species**
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of the Environment and Spatial Planning, Environment Directorate, Nature Conservation Division

The Institute of the Republic of Slovenia for Nature Conservation

9. Summary of the legal text in English:

The Nature Conservation Act is the main act which deals with alien species in Slovenia. This act contains the definitions of alien species (but not of invasive alien species). It contains rules and requirements regarding the introduction of alien species (and also of breeding of alien animals). In Slovenia, the introduction of alien species is prohibited unless the ministry grants permission before the introduction. In the process of obtaining such a permit, a risk assessment has to be made to determine possible negative impacts of alien species on biodiversity. A risk assessment also has to be conducted in case of reintroduction, repopulation and captive breeding of alien species.

The introduction of animals of alien species which are allowed to be hunted or of plants that are used in agriculture and forestry should be permitted by the competent ministry if the risk assessment provides sufficient evidence that there will not be negative impacts on biodiversity.

10. Your view:

In 2013, Alaber and Kus Veenvliet (2013) reviewed this act and other national legislation on alien species and highlighted several gaps and inconsistencies in the legislation.

There are several issues regarding definitions of alien species:

(1) The whole act, including the rules on alien species, only applies to wild species which have not undergone artificial selection. Therefore, rules on alien species do not apply to alien species which are a product of artificial selection (e.g. goldfish, plant cultivars). This causes problems in implementation – e.g. no risk assessment has to be made for planting Paulownia hybrids on farmland. However, also pure species are often (illegally) planted beside the hybrid trees.

(2) Furthermore, the current definition of alien species is inconsistent with the definition provided by the EU Regulation 1143/2014.

(3) None of the national regulations defines the term “invasive alien species”.

Furthermore, more than 20 years after adopting the main act, the rules on control and eradication of alien species have not yet been adopted. This means that any eradication actions are planned on a case-by-case basis, and there is also no long-term financing ensured.

The law does not contain any provisions on the management of pathways or early detection and rapid response, which impedes the implementation of the EU Regulation 1143/2014. Cases on invasive alien species of Union concern (e.g. kudzu, American skunk cabbage) are being solved on a case-by-case basis.

The rules on risk assessments are set out, but they are not always carried out before the introduction of alien species to nature. No alien plant is generally banned from selling or growing by the national

legislation, but there are restrictions set out by the EU Regulation 1143/2014, under which import, transport, selling and growing are prohibited for 36 invasive alien plants (https://ec.europa.eu/environment/nature/invasivealien/list/index_en.htm)

The national law does not require the adoption of alert lists and blacks lists of alien species. An alert list of potentially invasive alien species in forests was made in the framework of the project LIFE ARTEMIS, but it is not legally binding (de Groot et al., 2017).

One of the major gaps of this act is that tasks on alien species are not specifically mandated to any institution, which is causing significant difficulties in implementing concrete measures (e.g. planning eradication actions, monitoring).

In June 2019, the Ministry of the Environment and Spatial Planning put forward a proposal of the amendments of the Nature Conservation Act, which addressed some of the above issues. Due to changes in priorities, the adoption of these amendments is temporarily suspended.

11. Articles relevant for IAS management:

11. člen (določitev pojmov)

...

2. Doselitev je vnos rastlin ali živali v ekosistem, v katerem rastline ali živali te vrste že živijo.

9. Naselitev je vnos rastlin ali živali v ekosistem, v katerem rastline ali živali te vrste niso bile nikoli prisotne. Naselitev je lahko izvedena z namenom, da rastline ali živali v novem ekosistemu živijo, ali je nezavedna in je posledica človekovega malomarnega ravnanja, npr. odmetavanje akvarijskih ali terarijskih živali v naravo ali omogočanje pobega živali iz ograjenih prostorov. Vnos živali v prostor za gojitev živali ni naselitev.

21. Tujerodna (alohtona) živalska vrsta je tista, ki jo naseli človek in v biocenozi določenega ekosistema pred naselitvijo ni bila prisotna; od vrst, ki so bile iztrebljene, se za tujerodne štejejo tiste, za katere v ekosistemu ne obstajajo več približno enaki biotopski in biotski dejavniki, kot so bili pred iztrebitvijo.

22. Tujerodna (alohtona) rastlinska vrsta je tista, ki jo naseli človek in pred naselitvijo ni bila prisotna na ozemlju Slovenije.

...

17. člen (naselitev rastlin ali živali tujerodnih vrst)

(1) Naseljevanje rastlin ali živali tujerodnih vrst je prepovedano.

(2) Ne glede na določbo prejšnjega odstavka lahko ministrstvo izjemoma dovoli naselitev rastlin ali živali tujerodnih vrst, če se v postopku presoje tveganja za naravo ugotovi, da poseg v naravo ne bo ogrozil naravnega ravnovesja ali sestavin biotske raznovrstnosti.

(3) Naseljevanje živali tujerodnih vrst, ki jih je dovoljeno loviti, in rastlin, ki se uporabljajo pri opravljanju kmetijske in gozdarske dejavnosti, dovoli pristojno ministrstvo s soglasjem ministrstva ob pogoju iz prejšnjega odstavka.

18. člen (doselitev rastlin ali živali tujerodnih vrst)

- (1) Doseljevanje rastlin ali živali tujerodnih vrst mora biti spremljano in nadzorovano.
- (2) Fizična ali pravna oseba mora obvestiti ministrstvo o nameravani doselitvi rastlin ali živali tujerodnih vrst.
- (3) Vlogi mora predlagatelj priložiti tudi ugotovitve izvedenega postopka presoje tveganja za naravo.
- (4) Odločba, s katero se doselitev prepove, se izda na podlagi izvedenega postopka presoje tveganja za naravo.
- (5) Če ministrstvo v 30 dneh od prejema popolne vloge o zahtevi ne odloči, se šteje, da z doselitvijo ne soglaša.
- (6) Za doseljevanje rastlin, ki se uporabljajo pri opravljanju kmetijske in gozdarske dejavnosti, se določbe tega člena ne uporabljajo.
- (7) Za spremljanje in nadzorovanje doseljevanja živali, ki jih je dovoljeno loviti, skrbi pristojno ministrstvo na način iz tega člena.

24. člen (pravila varstva)

Vlada predpiše podrobnejši način varstva rastlinskih ali živalskih vrst ter varstvo drugih vrst živih organizmov in pri tem uredi zlasti:

...

4. postopek odvzema rastlin ali živali tujerodnih vrst, ki ogrožajo domorodne vrste, in ravnanja v zvezi z omejevanjem in preprečevanjem širjenja ter zmanjševanjem in preprečevanjem negativnega vpliva tujerodnih vrst na naravo, zlasti invazivnih vrst;

...

4.1.2. Decree on special protection areas (Natura 2000 areas)

1. English name of the legally binding text:

Decree on special protection areas (Natura 2000 areas)

2. The original name of the legally binding text:

Uredba o posebnih varstvenih območjih (območjih Natura 2000)

3. National gazette No. where it is published:

Uradni list RS, št. 49/04, 110/04, 59/07, 43/08, 8/12, 33/13, 35/13 – popr., 39/13 – odl. US, 3/14, 21/16 in 47/18

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED283>

5. Link to the translated legal text:

http://www.natura2000.si/fileadmin/user_upload/Knjiznjica/Zakonodaja/Decree Natura 2000 AN.pdf
(does not include amendments!)

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

The Environment and Nature Inspection Service is responsible for the enforcement of this rule
The Institute of the Republic of Slovenia for Nature Conservation

9. Summary of the legal text in English:

This is the main act which determines the Natura 2000 network in Slovenia. The only reference to alien species is in Article 7, which states that animals and plants of alien species or genetically modified organisms should not be introduced to Natura 2000 areas.

10. Your view (Is the legal act sufficient or do you find any shortcomings of this legislation when of working on IAS, up to ½ page):

No comments.

11. Articles, relevant for IAS management:

7. člen (varstvene usmeritve)

...

(5) Na Natura območja se ne vnaša živali in rastlin tujerodnih vrst ter gensko spremenjenih organizmov.

...

4.1.3. Rules on the carrying-out of the assessment of risk to nature and on the obtaining of authorisation

1. English name of the legally binding text:

Rules on the carrying-out of the assessment of risk to nature and on the obtaining of authorisation

2. The original name of the legally binding text:

Pravilnik o izvedbi presoje tveganja za naravo in o pridobitvi pooblastila

3. National gazette No. where it is published:

Uradni list RS, št. 43/02

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV4200>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- **Risk assessments**
- Early warning and rapid response
- Control, management restoration
- Financing

- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of the Environment and Spatial Planning, Environment Directorate, Nature Conservation Division
Slovenian Environment Agency, Department for Nature Conservation
The Institute of the Republic of Slovenia for Nature Conservation

9. Summary of the legal text in English:

This implementing act provides detailed provisions on the procedure of risk assessment, on the contents of the risk assessment reports and on the persons who can obtain authorisation to carry out a risk assessment.

10. Your view (Is the legal act sufficient or do you find any shortcomings of this legislation when of working on IAS, up to ½ page):

Risk assessments are not consistently carried out, and many intentional introductions have been made without conducting a risk assessment and obtaining a permit (e.g. some alien plants, freshwater fish).

11. Articles, relevant for IAS management:

1. člen (splošne določbe)

(1) Ta pravilnik določa pogoje in način izvedbe presoje tveganja za naravo (v nadaljnjem besedilu: presoja tveganja) pred naselitvijo ali doselitvijo tujerodnih prosto živečih rastlin in živali v naravo (v nadaljnjem besedilu: vnos) ali gojitvijo tujerodnih prosto živečih živali (v nadaljnjem besedilu: gojitev).

(2) Ta pravilnik določa pogoje, ki jih mora izpolnjevati pravna ali fizična oseba za pridobitev pooblastila za izvedbo presoje tveganja za naravo (v nadaljnjem besedilu: pooblastilo) in način pridobitve pooblastila.

(3) Ta pravilnik ne velja za vnos ali gojitev rastlin ali živali, spremenjenih z uporabo genske tehnologije.

...

3. člen (definicija presoje tveganja)

(1) Presoja tveganja se izvede za vsak primer vnosa ali gojitve posebej, pri čemer se presoja izvaja za vsako taksonomsko kategorijo, tudi nižjo od vrste. Presoja se izvaja tudi za posamezne dele rastlin ali živali, ki se lahko samostojno razmnožujejo na kakršenkoli način.

(2) Vnos po prejšnjem odstavku je enkratni vnos ali vnos, ki se izvede z večkratnimi, v naprej določenimi delnimi vnosi v obdobju največ petih let.

(3) Ne glede na določbo prvega odstavka tega člena se presoja tveganja ne izvede za vsak primer gojitve posebej, kadar isti predlagatelj goji živali iste taksonomske kategorije pod istimi pogoji in na isti lokaciji v obdobju petih let od začetka gojitve.

(4) Glede na določbe prejšnjih dveh odstavkov se presoja tveganja v primeru ponovnega vnosa ali gojitve po obdobju petih let od začetka prvotnega ali predhodnega vnosa ali gojitve, za katero se je opravila presoja tveganja, izvede na podlagi prvotne presoje tveganja, ki se dopolni z ugotovitvami o morebitnih posledicah, nastalih zaradi prvotnega ali predhodnega vnosa ali gojitve.

...

11. člen (ocena pričakovanih vplivov na naravo)

(1) V poročilu se na podlagi opisov iz 8., 9. in 10. člena tega pravilnika ter vrednotenja vnosa ali gojitve ocenijo vsi možni vplivi vnosa ali gojitve na naravo kot celoto in na vse njene posamezne dele.

(2) V poročilu je treba navesti vse vplive, tudi tiste, ki jih izdelovalec poročila ocenjuje kot nepomembne ali zanemarljive.

(3) V poročilu se posebej oceni:

1. verjetnost, da postane tujerodna rastlina ali žival stalno prisotna in invazivna v habitatu ali širšem okolju, kamor se vnaša ali goji,
2. verjetnost, da se kakorkoli prizadenejo populacije že prisotnih rastlinskih in živalskih vrst, ki zasedajo ekološko nišo, katero bo verjetno zasedla tujerodna rastlina ali žival,
3. verjetnost, da se kakorkoli prizadenejo populacije že prisotnih rastlinskih in živalskih vrst, ključnih za ohranitev naravnega ravnotežja v ekosistemu, v katerega se vnaša ali goji tujerodna rastlina ali žival,
4. verjetnost, da se kakorkoli prizadenejo populacije že prisotnih rastlinskih in živalskih vrst, ki so potencialna hrana ali gostitelj tujerodni rastlini ali živali,
5. verjetnost, da se kakorkoli prizadene zavarovane ali ogrožene vrste in endemite,
6. možnost in potrebo določitve vmesnih izolacijskih pasov zaradi preprečitve morebitnega širjenja tujerodnih rastlin ali živali ali njihovih nezaželenih vplivov,
7. možnost pojava neželenih in nepopravljivih posledic s količinskim ovrednotenjem,
8. verjetnost, da bi vnos ali gojitev neposredno negativno vplival na naravo ali njene dele ali povzročil okrnitev narave na območjih sosednjih držav.

(4) V poročilu je treba oceniti pričakovane vplive vnosa ali gojitve v času trajanja vnosa ali gojitve in po končanem vnosu ali po prenehanju gojitve ter potrebo po morebitnih posebnih ukrepih po končanem vnosu ali po prenehanju gojitve.

...

13. člen (okrnitev narave)

(1) V poročilu je treba oceniti verjetnost okrnitve narave, ki bi nastala zaradi premajhnega poznavanja vpliva tujerodne rastlinske in živalske vrste ali nenadzorovanega razvoja dogodkov ter oceniti predvidene ukrepe nadzora, ki naj bi preprečili ali zmanjšali tveganje okrnitve narave.

(2) V poročilu je treba navesti:

1. vrste, količino in lastnosti rastlin ali živali ter predvideno ravnanje in ukrepe med njihovo uporabo, skladiščenjem, prevozom ali odstranitvijo,
2. možne in predvidene ukrepe za zmanjšanje možnosti okrnitve narave,
3. scenarij okrnitve narave, ki bi se lahko zgodila, vključno z navedbo verjetnosti, površine prizadetega območja in posledic za ljudi in okolje,
4. potrebne intervencijske ukrepe za zmanjšanje ali preprečitev posledic okrnitve narave.

...

20. člen (pooblastilo)

- (1) Pooblastilo za presojo tveganja lahko pridobi pravna ali fizična oseba.
(2) Pooblastilo iz prejšnjega odstavka izda ministrstvo.

4.1.4. Decree on the Ljubljansko barje Landscape Park

1. English name of the legally binding text:

Decree on the Ljubljansko barje Landscape Park

2. The original name of the legally binding text:

Uredba o Krajinskem parku Ljubljansko barje

3. National gazette No. where it is published:

Uradni list RS, št. 112/08 in 46/14 – ZON-C

4. Link to the website:

<http://pisrs.si/Pis.web/pregledPredpisa?id=URED4722>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- **Determining institutions responsible for the implementation**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

Stakeholders:

Management Authority of Landscape Park Ljubljansko barje

9. Summary of the legal text in English:

This implementing act on Ljubljansko barje Landscape park provides a general prohibition of the introduction of alien species in the protected area. It is prohibited to fence new areas for the breeding of game animals or animals of alien species and to establish new fish farms or commercial fish ponds. In the first protection zone, it is also not allowed to breed alien animals or plants.

With this regulation management authority of the Landscape Park is given a clear mandate to, among others, work on prevention of the spread of alien plants and animals, especially of those, which are invasive.

10. Your view:

The Nature Conservation Act provides the same general prohibition of the introduction of alien species but still leaves a possibility for the introduction of alien species if the risk assessment proved no possible harm to biodiversity. Within the protected area, this exceptional granting of the introduction is not possible. However, it would likely be possible (after a risk assessment) to introduce an alien species in the framework of biocontrol of a widely spread invasive alien species as this could be considered an exception for conservation purposes.

11. Articles, relevant for IAS management:

10. člen (splošni varstveni režim)

(2) V krajinskem parku zlasti ni dovoljeno:

...

9. naseljevati rastlin in živali tujerodnih vrst;

...

15. ograjevati novih zemljišč za gojitev divjadi ali živali tujerodnih vrst ter urejati novih ribogojnic in komercialnih ribnikov;

...

12. člen (varstveni režim v prvem varstvenem območju)

(1) V prvem varstvenem območju poleg prepovedi iz 10. člena te uredbe in prvega odstavka prejšnjega člena ni dovoljeno:

1. gojiti živali in rastlin tujerodnih vrst;

...

13. člen (varstveni režimi v ožjih zavarovanih območjih)

(1) Poleg prepovedi iz 10. člena te uredbe v ožjih zavarovanih območjih ni dovoljeno:

...

5. odvzeti rastlin in živali iz narave, razen tujerodnih vrst ter pri opravljanju kmetijske, gozdarske, lovske, ribiške in raziskovalne dejavnosti v skladu s predpisi, ki urejajo te dejavnosti, in sprejetimi načrti na teh področjih;

...

18. člen (naravovarstvene naloge)

V krajinskem parku se izvajajo naslednje naravovarstvene naloge:

...

5. preprečevanje širjenja tujerodnih, še zlasti invazivnih rastlinskih in živalskih vrst;

...

4.1.5. Decree on Kolpa Landscape Park

1. English name of the legally binding text:

Decree on Kolpa Landscape Park

2. The original name of the legally binding text:

Uredba o Krajinskem parku Kolpa

3. National gazette No. where it is published:

Uradni list RS, št. 85/06, 46/14 – ZON-C in 54/18

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED4058>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**

- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Management Authority of Kolpa Landscape Park

9. Summary of the legal text in English:

This regulation on Landscape Park Kolpa specifically prohibits using alien tree species in the restoration of forests in the first and second protection zone of the park. The introduction of alien animals is not allowed in the Nature reserve Hrastova loza, and the introduction of alien fish species is prohibited in the natural monuments: river Kolpa, Fučkovski zdenec, Dolenjski zdenec and Zdenec Jarbol.

10. Your view:

No comments.

11. Articles relevant for IAS management:

9. člen (varstveni režimi v prvem varstvenem območju)

Poleg splošnega varstvenega režima iz prvega odstavka prejšnjega člena v prvem varstvenem območju tudi ni dovoljeno:

...

7. obnavljati gozdov s tujerodnimi drevesnimi vrstami;

...

10. člen (varstveni režimi v drugem varstvenem območju)

Poleg splošnega varstvenega režima iz prvega odstavka 8. člena te uredbe v drugem varstvenem območju tudi ni dovoljeno:

...

2. obnavljati gozdov s tujerodnimi drevesnimi vrstami;

...

12. člen (varstveni režimi v ožjih zavarovanih območjih)

...

(2) V ožjih zavarovanih območjih tudi ni dovoljeno:

...

6. Strogi naravni rezervat Hrastova loza:

...

- spreminjati sestavo zoocenoze z naseljevanjem drugih vrst živali.

7. Naravni spomeniki reka Kolpa, Fučkovski zdenec, Dolenjski zdenec in Zdenec Jarbol:

...

- naseljevati tujerodnih vrst rib;

...

4.1.6. Decree on Sečovlje Salina Natural Park

1. English name of the legally binding text:

Decree on Sečovlje Salina Natural Park

2. The original name of the legally binding text:

Uredba o Krajinskem parku Sečoveljske soline

3. National gazette No. where it is published:

Uradni list RS, št. 29/01, 46/14 – ZON-C in 48/18

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED1591>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Management Authority of Sečovelje Salina Natural Park – SOLINE Pridelava soli d. o. o.

9. Summary of the legal text in English:

Within the Sečovelje Salina Natural Park, it is prohibited to introduce alien plant and animal species.

10. Your view:

No comments.

11. Articles relevant for IAS management:

3. člen (varstveni režimi)

V parku je prepovedano izvajati posege, opravljati dejavnosti ali ravnati na način, ki bi lahko škodljivo vplival na naravne vrednote in biotsko raznovrstnost v parku in spreminjal ali ogrožal njegovo ekološko, biotsko ali krajinsko vrednost, zlasti pa:

...

9. vnašati rastline ali živali tujerodnih vrst;

...

4.1.7. Decree on Radensko polje Landscape Park

1. English name of the legally binding text:

Decree on Radensko polje Landscape Park

2. The original name of the legally binding text:

Uredba o Krajinskem parku Radensko polje

3. National gazette No. where it is published:

Uradni list RS, št. 104/11 in 80/18

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED5878>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Management Authority Radensko polje Landscape Park – Zavod za turizem in promocijo "Turizem Grosuplje"

9. Summary of the legal text in English:

Within Radensko polje Landscape Park, it is not allowed to fence areas for breeding game animals or animals of alien species or building new fish farms or commercial ponds. In the second protection zone of the park, it is prohibited to introduce or breed alien animals and plants.

10. Your view:

No comments.

11. Articles relevant for IAS management:

11. člen (splošni varstveni režim)

...

(2) V krajinskem parku zlasti ni dovoljeno:

4. ograjevati zemljišč za gojitev divjadi ali živali tujerodnih vrst ter urejati novih ribogojnic in komercialnih ribnikov;

...

12. člen (varstveni režim v drugem varstvenem območju)

...

9. naseljevati in gojiti živali in rastlin tujerodnih vrst;

...

13. člen (varstveni režim v prvem varstvenem območju)

(1) V prvem varstvenem območju poleg prepovedi iz 11. člena te uredbe in prvega odstavka prejšnjega člena tudi ni dovoljeno:

1. intenziviranje obstoječe kmetijske pridelave, če to neugodno vpliva na ugodno stanje rastlinskih in živalskih vrst, njihovih habitatov ali habitatnih tipov, in

2. pasti živali.

(2) V načrtu upravljanja se varstveni režim iz prejšnjega odstavka podrobneje prostorsko in časovno določi.

4.1.8. Decree on the Ormoška laguna Nature Reserve

1. English name of the legally binding text:

Decree on the Ormoška laguna Nature Reserve

2. The original name of the legally binding text:

Uredba o Naravnem rezervatu Ormoške lagune

3. National gazette No. where it is published:

Uradni list RS, št. 23/17

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED7440>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Steward of Ormoška laguna Nature Reserve – DOPPS-Birdlife Slovenia

9. Summary of the legal text in English:

In the Ormoška laguna Nature reserve, there is a general prohibition of introducing, reintroducing or breeding any kind of (i.e. also alien) animals and plants. An exception can be made in eradicating unintentionally introduced alien plants and animals and for introduction, reintroduction and breeding of grazing animals used for grazing.

10. Your view:

No comments.

11. Articles relevant for IAS management:

5. člen (varstveni režim)

(1) Na območju naravnega rezervata so prepovedana vsa ravnanja, posegi in dejavnosti, ki bi lahko negativno vplivali na rastlinske in živalske vrste, njihove habitate in habitatne tipe ter bi lahko spremenili ekološke in druge lastnosti naravnega rezervata, zlasti pa je prepovedano:

...

11. naseljevati, doseljevati ali gojiti katere koli živali ali rastline;

...

6. člen (izjeme od varstvenih režimov)

(1) Ne glede na prepovedi iz 1., 2., 3., 4., 7., 8., 10. in 11. točke prvega odstavka prejšnjega člena se lahko v skladu z varstvenimi cilji te uredbe ravnanja, posegi in dejavnosti izvajajo, če se izvajajo kot ukrepi varstva narave in naravovarstvene naloge, kot so gradnja, postavljanje in obnavljanje objektov in naprav, ki so namenjeni varovanju in obiskovanju naravnega rezervata, odvzemanje iz narave rastlin in živali tujerodnih vrst, naseljevanje, doseljevanje in gojenje pašnih živali za vzdrževanje ustreznega stanja vegetacijske zarasti, čiščenje sedimentov iz lagun in izvajanje drugih del za vzdrževanje ustreznih količin vode ter drugi ukrepi in naloge, če so taki ukrepi in naloge določeni v načrtu delovanja in urejanja naravnega rezervata.

...

9. člen (upravljanje naravnega rezervata)

...

(2) Posamezne naloge upravljanja v naravnem rezervatu izvaja ministrstvo, ki s skrbnikom oziroma izvajalcem pogodbenega varstva sklene pogodbo za:

- upravljanje habitatnih tipov in habitatov vrst, med drugim za uravnavanje zaraslosti rastlinstva, ustrezni vodni režim z dovajanjem vode v naravni rezervat in odvajanjem iz njega, odstranjevanje naplavin, odstranjevanje tujerodnih vrst;

...

4.1.9. Triglav National Park Act

1. English name of the legally binding text:

Triglav National Park Act

2. The original name of the legally binding text:

Zakon o Triglavskem narodnem parku (ZTNP-1)

3. National gazette No. where it is published:

Uradni list RS, št. 52/10, 46/14 – ZON-C in 60/17

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5487>

5. Link to the translated legal text:

Not available.

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- **Determining institutions responsible for the implementation**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Management Authority of Triglav National Park

9. Summary of the legal text in English:

This is the main legal text on Triglav National Park, which defines conservation goals of the protected area and sets out allowed and prohibited activities within the park. It also determines tasks and mandates of the management body of the protected area.

In the whole area of the national park, the introduction, growing or breeding of wild plant species of alien origin is prohibited.

10. Your view:

As in the Nature Conservation act, also in the Triglav National Park act, the ban on the introduction of alien species is limited to wild species, while the introduction of species which have undergone artificial selection is not prohibited. This could be a significant gap, especially in the case of ornamental plants or pet animals.

11. Articles, relevant for IAS management:

13. člen (splošni varstveni režim v narodnem parku)

(1) Na območju narodnega parka je prepovedano:

...

5. naseljevati ali gojiti rastline ali živali tujerodnih prostoživečih vrst;

...

62. člen (hujši prekrški)

(1) Z globo od 25.000 do 200.000 eurov se za prekršek kaznuje pravna oseba, če:

...

4. naseli ali goji rastline ali živali tujerodnih prostoživečih vrst (5. točka prvega odstavka 13. člena);

...

46. člen (javna pooblastila)

(1) Javni zavod opravlja na podlagi javnega pooblastila naslednje naloge:

1. izvaja neposredni nadzor v narodnem parku, opozarja na kršitve tega zakona, določi rok za odpravo nepravilnosti in uvede ter odloča v postopku o prekršku;

...

4.1.10. Škocjan Caves Regional Park Act

1. English name of the legally binding text:

Škocjan Caves Regional Park Act

2. The original name of the legally binding text:

Zakon o regijskem parku Škocjanske jame (ZRPSJ)

3. National gazette No. where it is published:

Uradni list RS, št. 57/96 in 46/14 – ZON-C

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO469>

5. Link to the translated legal text:

https://www.park-skocjanske-jame.si/si/file/download/92_2c001212c44be/SkocjanCavesRegionalParc_ACT.pdf

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Management Authority of Škocjan Caves Park

9. Summary of the legal text in English:

This is the main act on the establishment of the regional park Škocjan Caves. It was adopted before the Nature Conservation Act. However, it still contains a general prohibition on planting non-native [plant] species and on the introduction of non-native animals.

10. Your view:

No comments.

11. Articles relevant for IAS management:

9. člen

Na območju parka je prepovedano:

- ...
15. spreminjati vegetacijske združbe s saditvijo neavtohtonih vrst;
- ...
20. vnašati osebke neavtohtonih živalskih vrst;
- ...

4.1.11. [Municipal] Ordinance on Notranjska Regional Park

1. English name of the legally binding text:

[Municipal] Ordinance on Notranjska Regional Park

2. The original name of the legally binding text:

Odlok o Notranjskem regijskem parku

3. National gazette No. where it is published:

Uradni list RS št. 75/2002, 35/2013

4. Link to the website:

<https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina?urlurid=20023588>

<https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina?urlurid=20131338>

5. Link to the translated legal text:

Not available.

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration

- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Management Authority of Notranjska Regional Park

9. Summary of the legal text in English:

This is the main act on the establishment of the Notranjska Regional Park, which determines conservation goals, prohibited activities and tasks of the management body.

10. Your view:

The provisions are the same as in the Nature Conservation Act. In the whole protected area, the introduction of plants and animals to nature is not allowed unless a special permit is granted, on the condition that a risk assessment provides evidence that these will not damage the natural balance and biodiversity. The regulation specifically states that this does not apply to agricultural plants (see also the chapter on Agriculture). Within the strict nature reserves, the introduction of alien species is not allowed without exceptions.

11. Articles relevant for IAS management:

14. člen (varstveni režim na območju parka)

Na območju parka je prepovedano izvajati posege, opravljati dejavnosti ali ravnati na način, ki bi lahko škodljivo vplival na naravne vrednote, biotsko ali krajinsko raznovrstnost v parku in ogrožal regijsko značilne ekosisteme, zlasti pa:

...

21. naseljevati rastline ali živali tujerodne vrste v naravo; ministrstvo lahko izjemoma dovoli naselitev rastlin ali živali tujerodne vrste, če se v postopku presoje tveganja za naravo ugotovi, da poseg v naravo na bo ogrozil naravnega ravnovesja ali sestavin biotske raznovrstnosti; prepoved ne velja za kmetijske kulture;

...

26. člen (strogi naravni rezervati)

Strogi naravni rezervat je območje naravno ohranjenih geotopov, življenjskih prostorov ogroženih, redkih ali značilnih rastlinskih ali živalskih vrst ali območje, pomembno za ohranjanje biotske raznovrstnosti, kjer potekajo naravni procesi brez človekovega vpliva. Na zavarovanem območju je prepovedano izvajati posege ali opravljati dejavnosti, ki ogrožajo ohranitev zavarovanega območja, namerno uničevati rastline in živali in zadrževanje oseb, razen oseb, ki izvajajo nadzor.

Prepovedana je naselitev rastlin ali živali tujerodnih vrst.

Naseljevanje rastlin ali živali tujerodnih vrst je dovoljeno s soglasjem pristojnega ministrstva.

Z aktom o zavarovanju se določijo podrobnejša pravila ravnanja na območju strogega naravnega rezervata.

4.1.12. [Municipal] Ordinance on Seasonal Lakes of Pivka Landscape Park

1. English name of the legally binding text:

[Municipal] Ordinance on Seasonal Lakes of Pivka Landscape Park

2. The original name of the legally binding text:

Odlok o Krajinskem parku Pivška presihajoča jezera

3. National gazette No. where it is published:

Uradni list RS št. 43/2014

4. Link to the website:

<https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/117826>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Management Authority of Seasonal Lakes of Pivka Landscape Park (Service Unit of Municipality Pivka)

9. Summary of the legal text in English:

This is the main act on the establishment of the Seasonal Lakes of Pivka Landscape park, which determines conservation goals, prohibited activities and tasks of the management body. There is a general prohibition on fencing the land for the breeding of game animals or alien animals. Furthermore, in the protection zone of the lakes, the introduction and cultivation of alien plants is not allowed.

10. Your view:

No comments.

11. Articles, relevant for IAS management:

11. člen (splošni varstveni režim)

...

(2) V krajinskem parku ni dovoljeno:

...

11. na novo ograjevati zemljišč za gojitev divjadi ali živali tujerodnih vrst;

...

12. člen (varstveni režim v varstvenem območju jezer)

...

(2) V varstvenem območju jezer ni dovoljeno:

...

8. naseljevati in gojiti rastlin tujerodnih vrst;

...

4.1.13. [Municipal] Ordinance on Debeli rtič Landscape Park

1. English name of the legally binding text:

[Municipal] Ordinance on Debeli rtič Landscape park

2. The original name of the legally binding text:

Odlok o Krajinskem parku Debeli rtič

3. National gazette No. where it is published:

Uradni list RS št. 48/2018

4. Link to the website:

<https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2018-01-2463/odlok-o-krajinskem-parku-debeli-rtic>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- **Regional act**
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Management Authority of Debeli rtič Landscape Park – Service Unit of Municipality Ankaran

9. Summary of the legal text in English:

This is the act on the establishment of Debeli rtič Landscape park, which determines the goals of the protected area, prohibited activities and management of the protected area.

In the whole protected area, it is not allowed to introduce alien or invasive plant and animal species.

10. Your view:

The wording in this legal text is ambiguous as it says that the introduction of alien **or** invasive plants and animals is not allowed. So far, no Slovenian law is defining the term invasive species, so there could be difficulties in interpretation and implementation of this law.

11. Articles, relevant for IAS management:

11. člen (splošni varstveni režim)

...

(2) V Krajinskem parku ni dovoljeno:

...

14. Vnašanje tujerodnih oziroma invazivnih vrst rastlin in živali.

...

4.1.14. National Environment Protection Programme with programmes of measures until 2030

1. English name of the legally binding text:

National Environment Protection Programme with programmes of measures until 2030

2. The original name of the legally binding text:

Resolucija o Nacionalnem programu varstva okolja za obdobje 2020–2030 (ReNPVO20–30)

3. National gazette No. where it is published:

Uradni list RS št. 31/2020

4. Link to the website:

<https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2020-01-0603?sop=2020-01-0603>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- **Risk assessments**
- **Early warning and rapid response**
- **Control, management restoration**
- **Financing**
- **Awareness-raising & capacity building**
- National or international cooperation

8. Stakeholders:

Ministry of the Environment and Spatial Planning, Environment Directorate, Nature Conservation Division

The Institute of the Republic of Slovenia for Nature Conservation

Managing authorities of protected areas

Slovenia Forest Service

NGOs

9. Summary of the legal text in English:

The National Environment Protection Programme is the key programming document on the environment and nature conservation in Slovenia. It also contains the National Nature Conservation Programme and National Water Management Programme. The last chapter of the document is dedicated to the Strategic plan on the conservation of biodiversity in Slovenia.

Alien species are mentioned at several places throughout the document. In the National Nature Conservation Programme, there is a dedicated goal to prevent the introduction and spread of invasive alien species or to control their introduction and spread. Several measures on IAS are planned:

Measure 1: Preparation of the legislation to prevent and control the introduction and spread of invasive alien species

Measure 22a: Establishment of a system to monitor invasive alien species (IAS), including an information system and a plan of permanent monitoring in nature.

Measure 22b: Establishment of systems for early warning, rapid response and long term control of alien species.

Within the section dedicated to the Water Management Programme, a goal is set, among others, that in the sea environment, invasive alien species that are the result of human activities should be at the level that is not harming ecosystems. Among the measures, there is only one related to IAS. It calls for international cooperation to limit the presence of invasive alien species in the Mediterranean Sea

region, subregion Adriatic Sea, which is a consequence of maritime transport (ballast waters, stowaways), mariculture and unintentional introductions.

The Strategic Plan on Conservation of Biodiversity contains several measures, of which some overlap with the Strategic plan on Conservation of Biodiversity in Slovenia.

The overall national goal is: by the year 2020, IAS and their pathways will be known. Until 2020, these pathways will be under control. Three measures are planned under this goal: to adopt legislation on IAS, to establish an information system for IAS and to harmonise work on IAS among sectors, non-governmental organisations, local communities, experts, private companies, institutions and other stakeholders.

One goal is dedicated to achieving general awareness of IAS. Measures include educating and awareness-raising among the wider public about the problems posed by IAS and involving the public in preventing introductions and spread of IAS and data collection on IAS.

The third goal is to provide an overview of the presence and distribution of IAS in Slovenia. Measures are to prepare a list of IAS and ensure that it is regularly updated, establish a database on IAS, and monitor their status.

10. Your view:

This strategic document provides rather general goals on IAS, but if any of these would be timely implemented, this would be an important step towards better management of IAS. It is questionable how much funding can be secured for IAS in the coming years, as this document only provides a lump-sum estimation of the funding needs for all nature conservation measures. Sources of funding are not clearly defined and not secured.

The strategic document was adopted in March 2020 with validity until 2030. We can expect that in 2020 (or 2021 if postponed) a new Strategic Plan will be adopted under the Convention on Biological Diversity. It is not sure if the National Environment Programme will be revised to include the new world targets.

11. Articles relevant for IAS management:

Poglavje 5 VAROVANJE, OHRANJANJE IN IZBOLJŠEVANJE NARAVNEGA KAPITALA

Cilji na področju ohranjanja biotske raznovrstnosti in varstva naravnih vrednot

...

3. preprečevanje vnosa in širjenja invazivnih tujerodnih vrst oziroma obvladovanje njihovega vnosa in širjenja,

...

Usmeritve in ukrepi za ohranjanje biotske raznovrstnosti in varstvo naravnih vrednot

...

Upravne, strokovne in nadzorne organe bo treba okrepiti za izvajanje nalog, zlasti na novih področjih, kot sta na primer dostop do genskih virov in njihova raba ter invazivne tujerodne vrste.

...

Financiranje NPVN

Ob upoštevanju ciljev sprejetih svetovnih politik in politik EU glede ohranjanja biotske raznovrstnosti bodo prednostno financirani dozrajšnji ukrepi in strukture za njihovo izvajanje, ki jih je treba – tako kot ob tem tudi financiranje – okrepiti na skoraj vseh področjih. Zato bodo v povečanem obsegu financirani:

...

– preprečevanje širjenja invazivnih tujerodnih vrst,

...

Preglednica 1: Program varstva rastlinskih in živalskih vrst, njihovih habitatov in ekosistemov in Program ustanavljanja zavarovanih območij in obnovitve naravnih vrednot

Ukrep 1. Priprava zakonodaje za preprečevanje ter obvladovanje vnosa in širjenja invazivnih tujerodnih vrst.

Ukrep 22. Vzpostavitev in izvajanje sistema spremljanja invazivnih tujerodnih vrst (ITV), vključno z informacijskim sistemom in stalnim načrtnim spremljanjem (monitoringom) pojavljanja v naravi.

Vzpostavitev sistema za zgodnje odkrivanje invazivnih tujerodnih vrst, hiter odziv ter njihovo obvladovanje.

POGLAVJE 5.4 VODE – NACIONALNI PROGRAM UPRAVLJANJA Z VODAMI

Stanje in izzivi za morsko okolje

...

– v slovenskem morju ni zaznane čezmerne pojavnosti invazivnih tujerodnih vrst organizmov. Se pa čezmerna pojavnost kaže v podregiji Jadransko morje in regiji Sredozemsko morje, kar lahko vpliva tudi na spremenjeno stanje pri nas v prihodnje,

...

Cilji varstva in rabe voda

Z ukrepi varstva in rabe vode bodo do 2030 doseženi naslednji cilji:

1. na področju varstva in rabe voda:

...

2. na področju varstva morskega okolja:

...

– prisotnost invazivnih tujerodnih vrst, ki so posledica človekovih dejavnosti, na ravni, ki ne škoduje ekosistemom,

Usmeritve in ukrepi za doseganje ciljev varstva in rabe voda

Za doseganje ciljev NPUV se bodo skladno z Zakonom o vodah izvajali ukrepi, določeni v načrtih upravljanja vodnih območij Donave in Jadranskega morja, načrtih zmanjševanja poplavne ogroženosti, načrtih upravljanja z morskim okoljem in operativnimi programi glede oskrbe s pitno vodo ter odvajanja in čiščenja komunalne odpadne vode.

Za izboljšanje stanja morskega okolja pa je treba:

1. izboljšati medsektorsko sodelovanje za trajnostno upravljanje morskega okolja za:

...

2. z regionalnim in podregionalnim sodelovanjem:

– omejiti pojavnosti invazivnih tujerodnih vrst v regiji Sredozemsko morje in podregiji Jadransko morje, ki so posledica pomorskega prometa (vnos balastnih voda, »slepi potniki«), marikulture in nenamernih vnosov,

...

Preglednica 16: Kazalci okolja in drugi kazalci za spremljanje napredka pri doseganju ciljev NPVO 2020–2030

Kazalci okolja za področje varstva in rabe voda:

...

– skupine NARAVA in BIOTSKA PESTROST: tujerodne vrste, delfini.

...

10 STRATEŠKI NAČRT OHRANJANJA BIOTSKE RAZNOVRSTNOSTI V SLOVENIJI

Podrobni državni cilj 3: Do leta 2020 bodo ITV in njihove poti vnosa prepoznane. Do leta 2025 bodo ITV in njihove poti vnosa obvladovane.

3.1 Sprejeti zakonodajo s področja ITV in vzpostaviti medresorsko usklajeno in organizirano izvajanje aktivnosti povezanih z ITV.

3.1.1 Sprejeti zakonodajo, ki bo podrobno urejala področje ITV.

3.1.2 Vzpostaviti informacijski sistem, ki bo omogočal dostop do informacij o ITV v državi in bo hkrati namenjen komunikaciji s tujino.

3.1.3 Delo s področja ITV uskladiti med sektorji, NVO, lokalnimi skupnostmi, stroko in privatnimi podjetji, zavodi ter drugimi deležniki.

3.2 Doseči splošno ozaveščenost o ITV.

3.2.1 Izobraževati in ozaveščati širše javnosti o problematiki ITV (kaj to je, zakaj je to težava, kaj lahko vsak stori ...).

3.2.2 Vključevati javnosti pri preprečevanju, naselitvi, širitvi ITV (pridobiti podporo pri in za izvajanje ukrepov) in zbiranju podatkov.

3.3 Zagotoviti pregled nad prisotnostjo in razširjenostjo ITV v Sloveniji.

3.3.1 Pripraviti seznam ITV v Sloveniji in zagotoviti njegovo ažurno posodabljanje.

3.3.2 V okviru informacijskega sistema vzpostaviti osrednjo podatkovno zbirko tujerodnih in ITV v Sloveniji ter jo vzdrževati in nadgrajevati.

3.3.3 Spremljati stanje (vključuje vzpostavitev celotnega sistema: potrditev vrst, metodologija ...).

4.1.15. Ordinance on the Climate Change Funding Programme for the period 2020–2023

1. English name of the legally binding text:

Ordinance on the Climate Change Funding Programme for the period 2020–2023

2. The original name of the legally binding text:

Odlok o Programu porabe sredstev Sklada za podnebne spremembe v obdobju 2020–2023

3. National gazette No. where it is published:

Uradni list RS, št. 14/20

4. Link to the website:

<http://pisrs.si/Pis.web/pregledPredpisa?id=ODL01993>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Determining institutions, responsible for the implementation
- **Financing**
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of the Environment and Spatial Planning

9. Summary of the legal text in English:

The Climate Change Fund is a governmental fund that is established on the basis of the Environment Protection Act with the purpose to finance climate change mitigation and adaptation measures. In 2019, measures against invasive alien species were for the first time recognised in the framework of climate change adaptation, and some funding was made available for them.

The Ordinance on the Climate Change Funding Programme for the period 2020–2023 provides funding to carry out measures to conserve biodiversity, which can be directed towards managing the impact of climate change to wetlands, or towards the prevention and control of the introduction and spread of invasive alien species. These measures can include:

- awareness-raising on IAS
- monitoring of the distribution of alien species in Slovenia
- design and implementation of the early warning and rapid response measures
- development and implementation of measures to control widely-spread species
- studies on risk assessment regarding the invasiveness of alien species
- solutions to improve access to information on the already implemented management actions on invasive alien species
- purchase of equipment and tools for the implementation of measures
- other measures to prevent the introduction and spread of invasive alien species.

The beneficiaries of this funding are state management authorities of protected areas, the Nature Conservation Institute of the Republic of Slovenia, Fisheries Research Institute of Slovenia, management authorities of protected areas, which are established by municipalities, and holders of contractual protection or stewardship.

The planned funding is up to 1,7 million in 2020, up to 2,5 million € in 2021, up to 2 million € in 2022 and up to 2 million € in 2023.

10. Your view:

Due to the lack of implementing regulations, the management of IAS in Slovenia was for years severely underfunded. Most activities were funded through various projects. Despite that significant progress has been made, there was no sustainable source of funding. Adding measures on IAS in the Climate Change Fund is a big step forward to ensure long-term financing of such measures. Among the primary beneficiaries are protected area authorities, which means that the measures can be implemented in the areas with the highest importance for biodiversity.

Despite the adopted funding programme, these funds are at the moment not yet available to the beneficiaries. Due to the coronavirus epidemics, the current government has announced a state budget freeze in March 2020. It is at the moment uncertain how many funds can be secured for the management of IAS.

11. Articles relevant for IAS management:

Namen: Prilaganje podnebnim spremembam

Opis ukrepa: Izvajanje ukrepov za ohranjanje biotske raznovrstnosti

V okviru ukrepov za ohranjanje biotske raznovrstnosti z namenom prilaganja na podnebne spremembe se bodo tudi leta 2020 izvajali ukrepi za obvladovanje vplivov podnebnih sprememb na mokrišča na zavarovanih območjih, ukrepi za preprečevanje in obvladovanje vnosa in širjenja invazivnih tujerodnih vrst ter ukrepi za ohranjanje mejice (vključno z obvodno drevnino). Upravičenci za ukrepe na področju biotske raznovrstnosti so lahko izvajalci državnih in lokalnih javnih služb s področja ohranjanja narave ter izvajalci pogodbenega ali skrbniškega varstva za izvajanje posameznih nalog upravljanja zavarovanih območij pod pogojem, da so ukrepi določeni v njihovih potrjenih delovnih načrtih ali programih. Vsebine se predhodno uskladijo z MOP.

Sredstva se izvajalcem ukrepov zagotovijo z rednimi letnimi pogodbami MOP v okviru financiranja javne službe ohranjanja narave (upravljavci: Triglavski narodni park, Regijski park Škocjanske jame, Kozjanski regijski park, KP Radensko polje, KP Goričko, KP Kolpa, KP Strunjan, KP Sečoveljske soline, KP Ljubljansko barje, NR Škocjanski zatok in javna zavoda Zavod RS za varstvo narave in Zavod za ribištvo Slovenije), z izvajalci pogodbenega ali skrbniškega varstva v okviru pogodb o skrbništvu in izvajanju pogodbenega varstva, z upravljavci lokalnih zavarovanih območij pa s pogodbami na podlagi javnih pozivov (koncesionarji, javni zavodi, občine).

Ukrepi za obvladovanje vplivov podnebnih sprememb na mokrišča so:

...

Ukrepi za preprečevanje in obvladovanje vnosa in širjenja invazivnih tujerodnih vrst so:

- ozaveščanje o invazivnih tujerodnih vrstah,
- spremljanje razširjenosti tujerodnih vrst v Sloveniji,
- priprava in izvajanje ukrepov zgodnjega odkritja in hitrega odziva,
- priprava in izvajanje ukrepov za obvladovanje močno razširjenih vrst,
- študije za pripravo ocen tveganja zaradi invazivnosti tujerodnih vrst,
- informacijske rešitve namenjene spremljanju izvedbe ukrepov obvladovanja invazivnih tujerodnih vrst;
- nakup naprav in orodij, prilagojenih za izvajanje ukrepov,
- drugi ukrepi za preprečevanje vnosa in širjenja invazivnih tujerodnih vrst.

4.2. SECTOR: AGRICULTURE

4.2.1. Agricultural Land Act

1. English name of the legally binding text:

Agricultural Land Act

2. The original name of the legally binding text:

Zakon o kmetijskih zemljiščih

3. National gazette No. where it is published:

Uradni list RS, št. 71/11 – uradno prečiščeno besedilo, 58/12, 27/16, 27/17 – ZKme-1D in 79/17

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO541>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture, Forestry and Food

9. Summary of the legal text in English:

This act regulates the protection of agricultural land and its management. It contains rating criteria of the production potential of agricultural land. It also regulates land transactions and land leases, agricultural operations and common pastures.

The act only contains one provision which is relevant regarding alien species. Article 4a explicitly states that Maiden Grass (*Miscanthus* spp.) and bushes or trees, which are not intended for the production of fruits and olives, are only allowed to be planted on less productive agricultural land with (agricultural land rating of less than 30.)

10. Your view:

This regulation gives a possibility to grow *Paulownia* on agricultural land of lower quality. While a risk assessment is required for planting the pure species *Paulownia tomentosa*, this does not apply when (presumably sterile) hybrids are planted.

11. Articles relevant for IAS management:

4.a člen

Na zemljiščih, ki so po namenski in dejanski rabi kmetijska, je nasade miskanta ter nasade lesnih, grmovnih in drevesnih vrst, ki niso namenjene pridelavi sadja in oljk, dopustno saditi le, če imajo boniteto manj od 30.

4.2.2. Decree on agricultural-environmental-climatic measures and payments

1. English name of the legally binding text:

Decree on agricultural-environmental-climatic measures and payments for naturally and otherwise specifically less favoured areas according to the Rural Development Programme of the Republic of Slovenia 2014–2020

2. The original name of the legally binding text:

Uredba o ukrepih kmetijsko-okoljska-podnebna plačila, ekološko kmetovanje in plačila območjem z naravnimi ali drugimi posebnimi omejitvami iz Programa razvoja podeželja Republike Slovenije za obdobje 2014–2020

3. National gazette No. where it is published:

Uradni list RS, št. 16/16, 51/16, 84/16, 15/17, 63/17, 68/17, 5/18, 65/18, 81/18, 10/19, 76/19 in 7/20

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED7211>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- **Risk assessments**
- Early warning and rapid response
- Control, management restoration
- Determining institutions, responsible for the implementation
- **Financing**
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Agency for Agricultural Markets and Rural Development
Agricultural holdings, applying for agricultural payments

9. Summary of the legal text in English:

This regulation contains provisions on the implementation of the Slovenian Rural Development Programme (RDP) for the period 2014–2020, which concerns Measure 10 - Agri-environment-climate payments. Part of this decree is also a code list of agricultural plants for which subsidies can be obtained.

10. Your view:

This regulation is relevant for alien species because it contains a list of agricultural plants. According to the Nature Conservation Act, the rules on the reintroduction on alien animals and plants (Article 18) do not apply to species which are used for forestry and agricultural activities. They are, therefore, excluded from any risk assessment. However, this list already contains at least three potentially

invasive alien species: Maiden Grasses (*Mischantus* spp.), Black Chokeberry (*Aronia melanocarpa*) and Goji Berry (*Lycium barbarum*).

11. Articles, relevant for IAS management:

A long, complex table, which can be viewed here:

https://www.program-podezelja.si/images/SPLETNA_STRAN_PRP_NOVA/1_PRP_2014-2020/1_2_Ukrepi_in_podukrepi_PRP_2014-2020/M10/MODUL_Navodila_in_obrazci/Subvencijska_kampanja_2019/%C5%A0ifrant_KMRS_2019.pdf

4.2.3. Decree on cross-compliance

1. English name of the legally binding text:

Decree on cross-compliance

2. The original name of the legally binding text:

Uredba o navzkrižni skladnosti

3. National gazette No. where it is published:

Uradni list RS, št. 97/15, 18/16, 84/16, 5/18, 81/18 in 38/19

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED7162>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response

- **Control, management restoration**
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

The regulation provides rules by which farmers who receive agricultural subsidies are obliged to, among others, prevent the spread of specified invasive alien plants on their land.

9. Summary of the legal text in English:

The decree sets out rules on cross-compliance – obligations at the farm level, resulting from the statutory management requirements and the standards for good agricultural and environmental land conditions. Among agricultural practices which are beneficial for the climate, the environment and for maintenance of the agricultural area, farmers are obliged to prevent the spread of five invasive alien plant species: Tall Coneflower (*Rudbeckia laciniata*), Canadian Goldenrod (*Solidago canadensis*), Giant goldenrod (*Solidago gigantea*), Annual Fleabane (*Erigeron annuus*) and Common Ragweed (*Ambrosia artemisiifolia*).

10. Your view:

The decree on cross-compliance was amended in 2018 and has lowered the demands on the management of alien plants towards farmers. Until 2018 farmers were obliged to eradicate all five listed alien plants. After the amendment, it is allowed that these plants are left uncontrolled on up to 10 are of the land in possession of the agricultural holding. However, this means that there is a continuous source of seeds which can spread (back) to other areas.

11. Articles, relevant for IAS management:

PRILOGA 1: PRAVILA O NAVZKRIŽNI SKLADNOSTI

DKOS 7: OHRANJANJE KRAJINSKIH ZNAČILNOSTI

Ukrep: Preprečuje se širjenje tujerodnih rastlin z invazivnim potencialom.

Smernice:

Kmetje morajo na celotnem kmetijskem gospodarstvu izvajati ukrepe za omejitev širjenja tujerodnih vrst z invazivnim potencialom.

Ti ukrepi vključujejo odstranjevanje s puljenjem, košnjo, pašo, preoravanjem ali druge načine za preprečevanje njihovega širjenja. Seznam tujerodnih vrst z invazivnim potencialom, na katere se zahteva nanaša:

– rudbekija/deljenolistna rudbekija (*Rudbeckia laciniata*)

– kanadska zlata rozga (*Solidago canadensis*)

– orjaška zlata rozga (*Solidago gigantea*)

– enoletna suholetnica (*Erigeron annuus*)
– ambrozija/pelinolistna žvrklja (*Ambrosia artemisifolia*), s katero se ravna v skladu z Odredbo o ukrepih za zatiranje škodljivih rastlin iz rodu *Ambrosia* (Uradni list RS, št. 63/10)
Zahteve:
35. Na kmetijskih površinah se izvajajo ukrepi za omejitev širjenja tujerodnih rastlin z invazivnim potencialom.

4.2.4. Decree on measures to suppress harmful plants of genus *Ambrosia*

1. English name of the legally binding text:

Decree on measures to suppress harmful plants of genus *Ambrosia*

2. The original name of the legally binding text:

Odredba o ukrepih za zatiranje škodljivih rastlin iz rodu *Ambrosia*

3. National gazette No. where it is published:

Uradni list RS, št. 63/10

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ODRE2061>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Determining institutions, responsible for the implementation
- Financing

- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture, Forestry and Food
Administration for Food Safety, Veterinary Sector and Plant Protection

9. Summary of the legal text in English:

This ordinance is a by-law of the Plant Protection Act, which sets out measures for preventing spread and reducing impacts of plants from the genus *Ambrosia*. These plants are considered plants pests, and the landowners and holders of land are obliged to remove plants with roots or remove the aboveground parts so that the plants do not regrow in the same growing season. They are also obliged to regularly check land for these species until the end of September.

10. Your view:

This is the only national regulation in Slovenia that directly obliges the landowners and holders of land to remove invasive alien species. They also bear all the costs of the removal.

The obligation to remove invasive alien species also holds for the species which are regulated under the EU Regulation 1143/2014. However, this regulation imposes the obligation to the Member States, and the national regulation, which would set detailed rules, has not yet been adopted.

The effectiveness of the implementation did, however, not stop the spread of Common Ragweed. Since the adoption of the regulation in 2010, Common Ragweed has spread to agricultural land, and it is now invading arable fields and pastures (Vidmar, 2019).

11. Articles, relevant for IAS management:

1. člen (vsebina)

Ta odredba določa ukrepe za preprečevanje širjenja in zatiranje pelinolistne ambrozije (*Ambrosia artemisiifolia* L.) in drugih neofitnih vrst iz rodu *Ambrosia* (v nadaljnjem besedilu: škodljiva rastlina), posebno nadzorovano območje škodljive rastline, stroške ter obveznosti imetnikov zemljišč.

2. člen (škodljive rastline)

(1) Škodljive rastline so zlasti naslednje vrste ambrozije:

- pelinolistna ambrozija (*Ambrosia artemisiifolia*),
- trikrpa ambrozija (*Ambrosia trifida*),
- obmorska ambrozija (*Ambrosia maritima*) in
- trajna ambrozija (*Ambrosia coronopifolia*).

(2) Natančnejši opis in fotografije škodljivih rastlin iz prejšnjega odstavka je dostopen na spletni strani Fitosanitarne uprave Republike Slovenije <http://www.furs.si/>.

3. člen (posebno nadzorovano območje)

Posebno nadzorovano območje je celotno ozemlje Republike Slovenije (v nadaljnjem besedilu: posebno nadzorovano območje).

4. člen (ukrepi na posebnem nadzorovanem območju)

Na posebnem nadzorovanem območju mora imetnik zemljišča, na katerem raste škodljiva rastlina, z namenom preprečevanja širjenja in za zatiranje škodljive rastline izvesti naslednje ukrepe:

- odstraniti škodljive rastline s koreninami vred ali odstraniti njihov nadzemni del na način, da se škodljiva rastlina v tej rastni dobi ne obraste več;
- opraviti nadaljnja redna opazovanja zemljišč v rastni dobi do konca septembra.

5. člen (stroški)

Odstranitev škodljive rastline se izvede na stroške imetnika zemljišča.

4.3. SECTOR: FORESTRY

4.3.1. Act on Forests

1. English name of the legally binding text:

Act on Forests

2. The original name of the legally binding text:

Zakon o gozdovih

3. National gazette No. where it is published:

Uradni list RS, št. 30/93, 56/99 – ZON, 67/02, 110/02 – ZGO-1, 115/06 – ORZG40, 110/07, 106/10, 63/13, 101/13 – ZDavNepr, 17/14, 22/14 – odl. US, 24/15, 9/16 – ZGGLRS in 77/16

4. Link to the website:

<http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO270>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management, restoration**
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture, Forestry and Food
Slovenia Forestry Service

9. Summary of the legal text in English:

Slovenian forestry has adopted a policy of close-to-nature management of forests. Part of that is the policy of the Act on Forests, which states that in forests, habitats of native plant and animal species should be preserved following forest management plans. Forests, in which the composition of forest association has been changed should gradually be restored to have a natural species composition.

10. Your view:

No comments.

11. Articles relevant for IAS management:

...

36. člen

(1) V gozdovih se v skladu z gozdnogospodarskimi načrti ohranjajo oziroma ponovno vzpostavljajo habitati avtohtonih rastlinskih in živalskih vrst. V gozdovih s spremenjeno sestavo gozdnih življenjskih združb se postopno ponovno vzpostavlja njihova naravna sestava.

4.3.2. Rules on forest protection

1. English name of the legally binding text:

Rules on forest protection

2. The original name of the legally binding text:

Pravilnik o varstvu gozdov

3. National gazette No. where it is published:

Uradni list RS, št. 114/09 in 31/16

4. Link to the website:

<http://pisrs.si/Pis.web/pregledPredpisa?id=PRAV9492>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- **Early warning and rapid response**
- **Control, management restoration**
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture, Forestry and Food
Slovenia Forestry Service
Slovenian Forestry Institute
Owners of forests

9. Summary of the legal text in English:

The Rules on forest protection contain two relevant provisions regarding alien species. They state that the natural species composition should be, among others, maintained by removing alien species which threaten or could threaten natural tree species composition.

Furthermore, the regulation states that the introduction of alien tree species is only allowed in accordance with the rules on nature protection, forest reproduction material and forestry management plans.

The regulation also contains a provision on the detection of alien and invasive harmful organisms. On this basis, the Slovenia Forestry Service and the Slovenian Forestry Institute annually perform directed monitoring and active surveillance of some hot spots for a predefined set of harmful organisms (not all are of alien origin).

10. Your view:

No comments.

11. Articles, relevant for IAS management:

4. člen (ohranjanje in vzpostavljanje naravne sestave drevesnih vrst)

(1) Naravna sestava drevesnih vrst se ohranja in vzpostavlja zlasti:

1. z naravnim pomlajevanjem avtohtonih drevesnih vrst, kjer je to mogoče;
2. pri obnovi s sajenjem ali setvijo z izbiro drevesnih vrst, ki ustrezajo rastiščnim razmeram;
3. z nego v mlajših razvojnih fazah sestojev, pri kateri se:
 - ohranja in vzpostavlja naravna in če je mogoče tudi pestra zmes drevesnih vrst;
 - odstranjujejo tujerodne vrste, ki ogrožajo oziroma bi lahko ogrozile naravno sestavo drevesnih vrst.

(2) Naseljevanje oziroma vnos tujerodnih drevesnih vrst v gozdni ekosistem je dovoljeno v skladu s predpisi, ki urejajo ohranjanje narave, gozdni reprodukcijski material in gozdnogospodarske načrte.

23. člen (ukrepi za preprečevanje pojava in širjenja škodljivih organizmov)

(1) Pojav in širjenje škodljivih organizmov se preprečujeta zlasti:

...

- z uporabo fitofarmaceutskih sredstev za preprečevanje naselitve trohnočnežev (*Heterobasidion* spp.) v panje iglavcev v skladu z gozdnogojitvenim načrtom;
- z načrtnim odkrivanjem tujerodnih in invazivnih škodljivih organizmov.

...

4.4. SECTOR: HUNTING

Some of the regulations on hunting contain provisions regarding alien animals, which are not subject to this review. However, the Game and Hunting Act includes provisions relevant to the management of alien plants, and we include these provisions in the review.

4.4.1. Game and Hunting Act

1. English name of the legally binding text:

Game and Hunting Act

2. The original name of the legally binding text:

Zakon o divjadi in lovstvu

3. National gazette No. where it is published:

Uradni list RS, št. 16/04, 120/06 – odl. US, 17/08, 46/14 – ZON-C in 31/18

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO3780>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- **National act**
- Regional act
- Implementing regulation
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of Agriculture, Forestry and Food

9. Summary of the legal text in English:

This act regulates game management, including planning, conservation, sustainable management and monitoring of game animals.

10. Your view:

Provisions on the protection of vegetation, which are included in this act, raise difficulties in planning control and eradication of woody alien plants. On farmland and along watercourses, it is not allowed to cut hedges, bushes or overgrown vegetation in the period between 1st March and 1st August. This limits the available period when invasive plants can be removed. Before the beginning of March, many plants will not have leaves and are difficult to recognise. On the other hand, by the 1st of August, many plants have seeds and removing them at this time could increase the risk of spread and can cause more difficulties of safely disposing of the viable parts of plants.

11. Articles relevant for IAS management:

32. člen (kmetijska zemljišča)

...

(5) Sekanje, požiganje ali drugačno uničevanje živih mej, grmišč in s suho zarastjo poraslih površin po pašnikih, travnikih in poljih je prepovedano v času gnezdenja ptic in poganja mladičev, med 1. marcem in 1. avgustom.

...

33. člen (regulacije vodotokov in osuševanja)

...

(4) V času gnezdenja ptic, med 1. marcem in 1. avgustom, je prepovedano sekati zarast ob vodnih bregovih, čistiti odvodne kanale in prazniti vodna zajetja.

...

4.5. SECTOR: WATER MANAGEMENT

Legal acts on water management do not contain specific provisions on invasive alien species. This is an important gap, as many invasive alien plants are common along watercourses and continue to spread with the water current.

A recent study (Lešnik, 2017) has also emphasised the importance of the prevention of the spread of invasive alien plants on water protection areas. In these areas, agricultural production techniques are

adjusted to protect water quality, either by reducing the intensity of crop production or even with the abandonment of farming. However, in these areas, invasive alien plants are often spreading, which can lead to long-term destabilization of semi-natural habitats. It could also increase the costs of agricultural crop production and the costs of maintaining energy, transport and hydrological infrastructure in these areas (Lešnik, 2017).

Alien species are considered a significant pressure in rivers of the Danube and Adriatic river basins. However, most of the measures planned by these two management plans appear to be primarily directed towards the management of alien animals and not to plants.

4.5.1. The management plan for the Danube river basin for the period 2016–2021

1. English name of the legally binding text:

The management plan for the Danube river basin for the period 2016–2021

2. The original name of the legally binding text:

Načrt upravljanja voda na vodnem območju Donave za obdobje 2016–2021

3. National gazette No. where it is published:

4. Link to the website:

https://www.gov.si/assets/ministrstva/MOP/Dokumenti/Voda/NUV/63dbe4066b/NUV_VOD.pdf
[https://www.gov.si/assets/ministrstva/MOP/Dokumenti/Voda/NUV/13ce67fe7a/
program_ukrepov_upravljanja_voda.pdf](https://www.gov.si/assets/ministrstva/MOP/Dokumenti/Voda/NUV/13ce67fe7a/program_ukrepov_upravljanja_voda.pdf)

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response

- **Control, management restoration**
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of the Environment and Spatial Planning

9. Summary of the legal text in English:

The plan for the management of the Danube River Basin is made in accordance with the requirements of the Water Directive. Alien species are identified as one of the pressures to the Danube system. Two sets of measures are planned for the management of alien species: measures to prevent and reduce the introduction of freshwater alien species and monitoring of alien water organisms. The first measure also applies to the management of invasive alien species along waters (e.g. Japanese Knotweed, Ragweed).

10. Your view:

The measures are more directed to alien animals. It should be checked with the responsible authorities how many measures were implemented for alien plants. With better scientific data on the impacts of alien plant species on river ecosystems, more specific actions on alien plants could be planned in the updated management plan.

11. Articles, relevant for IAS management:

Poglavje 6. Povzetek programa ukrepov

...

Preglednica 6-1: Povzetek temeljnih ukrepov

BI1.1a Ukrepi za preprečevanje in zmanjševanje vnosa tujerodnih vodnih vrst

BI1.2a Monitoring tujerodnih vodnih organizmov ...

4.5.2. The management plan for the Adriatic river basin for the period 2016–2021

1. English name of the legally binding text:

The management plan for the Adriatic river basin for the period 2016–2021

* the text in this document regarding alien species is identical as in the Danube river basin management plan, but for the clarity, we list it separately.

2. The original name of the legally binding text:

Načrt upravljanja voda na vodnem območju Jadranskega morja za obdobje 2016–2021

3. National gazette No. where it is published:

-

4. Link to the website:

https://www.gov.si/assets/ministrstva/MOP/Dokumenti/Voda/NUV/4195091b63/NUV_VOJM.pdf

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of the Environment and Spatial Planning

9. Summary of the legal text in English:

See the previous chapter.

10. Your view:

See the previous chapter.

11. Articles relevant for IAS management:

Poglavje 6. Povzetek programa ukrepov

...

Preglednica 6-1: Povzetek temeljnih ukrepov

BI1.1a Ukrepi za preprečevanje in zmanjševanje vnosa tujerodnih vodnih vrst

BI1.2a Monitoring tujerodnih vodnih organizmov

...

4.6. SECTOR: SPATIAL PLANNING

The general acts on spatial planning do not contain provisions on alien species. However, in the newer implementing regulations, which determine spatial planning for certain areas, there are often specific requirements regarding prevention of introduction and spread of alien species, in particular of plants.

For example, several implementing regulations provide requirements that before construction, a botany expert should check the area for the presence of invasive alien species and provide guidance on soil movement in which invasive alien species are present. After the construction, the area should be monitored, and all alien or invasive alien species should be removed. The top layer of soil used for revegetation, should not contain seeds of invasive or alien species.

In Slovenia, spatial planning is partially in the jurisdiction of the municipalities, and these are obliged to adopt municipal spatial plans. Some municipalities have included provisions that native species should be used when planting ornamentals.

4.7. SECTOR: WASTE MANAGEMENT

Legislation on waste disposal is relevant due to the need to properly dispose and destroy potentially viable parts of invasive plants after eradication and control activities.

In Slovenia, the first actions on eradication and control of alien species started only around 2010, and it is therefore not surprising that the current regulations do not contain specific provisions on waste management of the material of alien species. In practice, how to dispose of plant material of alien species is often a problem.

In early 2020, the Nature Conservation Institute prepared an expert opinion regarding the proper disposal of the material of invasive plants, which are listed under the EU Regulation 1143/2014 (Dolenc & Papež Kristanc, 2020). Below we summarize those acts on waste management, which appear relevant for the proper removal of invasive alien species.

4.7.1. Decree on biodegradable kitchen waste and garden waste management

1. English name of the legally binding text:

Decree on biodegradable kitchen waste and garden waste management

2. The original name of the legally binding text:

Uredba o ravnanju z biološko razgradljivimi kuhinjskimi odpadki in zelenim vrtnim odpadom

3. National gazette No. where it is published:

Uradni list RS, št. 39/10

4. Link to the website:

<http://pisrs.si/Pis.web/pregledPredpisa?id=URED5366>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of the Environment and Spatial Planning

9. Summary of the legal text in English:

This regulation determines the management of biodegradable kitchen waste from food businesses (e.g. restaurants) and households and of garden waste from yard trimmings. It also determines the scope of the activities, which are part of the obligatory municipal public service of waste collection. The rules on the management of yard trimmings are relevant for the management of alien species, as garden waste often contains viable parts of (potentially) invasive alien plants.

Article 5 sets out a rule that the producer of household waste is obliged to compost kitchen waste or garden waste in his own compost heap. If this is not possible, this waste should be collected in a separate bin which a public service contractor then takes over.

10. Your view:

The implementation of this regulation should be more strictly enforced, and penalties should be imposed for infringement of this regulation.

People often take green waste outside of their property and dispose of it in the forest or on abandoned land (Šipek & Šajna, 2019). This is one of the main pathways for the spread of some ornamental plants, especially those that can easily resprout from cut branches.

11. Articles relevant for IAS management:

3. člen (izrazi)

Izrazi, uporabljeni v tej uredbi, imajo naslednji pomen:

...

15. higienizacija je postopek, s katerim se uničijo vegetativne oblike človeških, živalskih in rastlinskih škodljivih organizmov v biološko razgradljivih odpadkih;

...

5. člen (obveznosti povzročitelja odpadkov iz gospodinjstva)

(1) Povzročitelj odpadkov iz gospodinjstva mora hišno kompostirati kuhinjske odpadke in zeleni vrtni odpad v hišnem kompostniku.

(2) Ne glede na določbo prejšnjega odstavka mora povzročitelj odpadkov iz gospodinjstva, ki ne kompostira kuhinjskih odpadkov in zelenega vrtnega odpada sam, te odpadke prepuščati izvajalcu javne službe v posebnem zabojniku ali posodi na način, določen s predpisi lokalne skupnosti.

(3) Povzročitelj odpadkov iz gospodinjstva mora lastne kuhinjske odpadke in zeleni vrtni odpad do hišnega kompostiranja ali prepustitve izvajalcu javne službe hraniti ločeno, tako da se ne mešajo z drugimi odpadki in jih je možno hišno kompostirati ali predelati v skladu s predpisom, ki ureja obdelavo biološko razgradljivih odpadkov.

...

11. člen (posebne zahteve za kompostiranje)

...

(2) Biološko razgradljive odpadke, okužene z rastlinskimi škodljivimi organizmi, za katere je inšpektor, pristojen za kmetijstvo, odredil uničenje v skladu s predpisom, ki ureja ukrepe in postopke za preprečevanje vnosa in širjenja škodljivih organizmov rastlin, rastlinskih proizvodov in nadzorovanih predmetov, je prepovedano odprto kompostirati.

...

4.7.2. Decree on the treatment of biodegradable waste and the use of compost or digestate

1. English name of the legally binding text:

Decree on the treatment of biodegradable waste and the use of compost or digestate

2. The original name of the legally binding text:

Uredba o predelavi biološko razgradljivih odpadkov in uporabi komposta ali digestata

3. National gazette No. where it is published:

Uradni list RS, št. 99/13, 56/15 in 56/18

4. Link to the website:

<http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED6281>

5. Link to the translated legal text:

Not available

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments

- Early warning and rapid response
- **Control, management restoration**
- Determining institutions, responsible for the implementation
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Ministry of the Environment and Spatial Planning

9. Summary of the legal text in English:

This regulation provides rules and sets conditions on the waste processing of biodegradable waste and the use or selling of compost or digestate.

The material of removed alien species is biodegradable. However, it is not certain if all viable parts are destroyed in some waste management processes. Article 11 sets special rules regarding composting and states that biodegradable waste should not be processed in open windrow composting when it includes plant pests for which the inspector has ordered the destruction.

Your view:

Currently, the applicability of the rules from this regulation is limited. In Slovenian only plants of the genus *Ambrosia* are considered plant pests, according to the Decree on measures to suppress harmful plants of genus *Ambrosia* (National Gazette RS, št. 63/10). Other invasive alien plants are not considered plant pests, and no specific rules apply to composting.

An example of good practice on waste management of alien species plants is the mechanism set up by the Municipality Ljubljana. In the project APPLAUSE, they have set up a collection point with separate bins for the waste material of eleven invasive plants (Bačič. 2018). Part of this material is used for making various products (e.g. dyes, paper), and residual waste is composted.

11. Articles relevant for IAS management:

3. člen (izrazi)

Izrazi, uporabljeni v tej uredbi, imajo naslednji pomen:

...

2. zeleni vrtni odpad so biološko razgradljivi odpadki z vrtov in parkov iz priloge 1 te uredbe (npr. odpadne veje, trava in listje), razen odpadkov, ki nastanejo pri čiščenju površin ter žaganje in lesni odpadki, če les ni obdelan s premazi ali lepili, ki vsebujejo težke kovine ali organske spojine;

...

6. člen (obveznosti povzročitelja zelenega vrtnega odpada)

(1) Povzročitelj zelenega vrtnega odpada mora z zelenim vrtnim odpadom ravnati v skladu s predpisom, ki ureja ravnanje z odpadki.

(2) Ne glede na prejšnji odstavek lahko povzročitelj zelenega vrtnega odpada brez okoljevarstvenega dovoljenja kompostira lastni zeleni vrtni odpad, če tako pridobljeni kompost uporabi na zemljišču, ki ga poseduje.

5. EUROPEAN UNION

5.1. SECTOR: NATURE CONSERVATION

5.1.1. Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species

1. English name of the legally binding text:

Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species

2. The original name of the legally binding text:

Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species

3. National gazette No. where it is published:

Official Journal of the European Union L317 Vol. 57, 4 November 2014

4. Link to the website:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R1143&from=EN>

5. Link to the translated legal text:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R1143&from=EN>

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- **Definitions of alien species**
- **Prevention of introductions**
- **Risk assessments**
- **Early warning and rapid response**
- **Control, management restoration**
- **Financing**
- **Awareness-raising & capacity building**
- **National or international cooperation**

8. Stakeholders:

Member States of the European Union

9. Summary of the legal text in English:

This Regulation sets out rules to prevent, minimise and mitigate the adverse impacts on biodiversity of the introduction and spread within the Union, both intentional and unintentional, of invasive alien species. It provides a set of measures to be taken across the EU concerning invasive alien species included on the Union list. Three types of measures are envisaged – prevention, early detection and rapid eradication and management.

Several robust measures are aimed at preventing the intentional or unintentional introduction of IAS of Union concern into the EU. Member States must put a surveillance system in place to detect the presence of IAS of Union concern as early as possible and take rapid eradication measures to prevent them from establishing. Concerted management actions are needed to minimize the harm IAS cause and to prevent them from further spreading.

It contains chapters about general provisions, prevention, early detection and rapid eradication, management of invasive alien species that are widely spread, horizontal provisions and final provisions.

10. Your view:

-

11. Articles relevant for IAS management:

The whole document is relevant for IAS. See the link above.

5.1.2. Commission Implementing Regulation (EU) 2016/1141 of 13 July 2016 adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council

1. English name of the legally binding text:

Commission Implementing Regulation (EU) 2016/1141 of 13 July 2016 adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council

2. The original name of the legally binding text:

Commission Implementing Regulation (EU) 2016/1141 of 13 July 2016 adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council

3. National gazette No. where it is published (list all amendments):

Official Journal of the European Union L189 Vol. 59, 14 July 2016

4. Link to the website:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1141&from=EN>

5. Link to the translated legal text:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1141&from=EN>

6. Status of the legal text (underline the appropriate option):

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text (underline the appropriate option):

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- **Early warning and rapid response**
- **Control, management restoration**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders (list institutions with exact departments, which are involved in the implementations of those parts of the regulation which refer to IAS):

Member States of the European Union

9. Summary of the legal text in English (up to ½ page):

This Regulation is adopting a list of invasive alien species that require action across the EU. The list contains 37 species that meet criteria that were set out in Article 4(3), and the conditions set out in Article 4(6) of Regulation (EU) No 1143/2014. Species on the list are subject to the restrictions and measures set out in Regulation (EU) No 1143/2014.

10. Your view:

-

11. Articles, relevant for IAS management:

The whole document is relevant for IAS. See the link above.

5.1.3. Commission Implementing Regulation (EU) 2017/1263 of 12 July 2017 updating the list of invasive alien species of Union concern established by Implementing Regulation (EU) 2016/1141 pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council

1. English name of the legally binding text:

Commission Implementing Regulation (EU) 2017/1263 of 12 July 2017 updating the list of invasive alien species of Union concern established by Implementing Regulation (EU) 2016/1141 pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council

2. The original name of the legally binding text:

Commission Implementing Regulation (EU) 2017/1263 of 12 July 2017 updating the list of invasive alien species of Union concern established by Implementing Regulation (EU) 2016/1141 pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council

3. National gazette No. where it is published (list all amendments):

Official Journal of the European Union L182 Vol. 60, 13 July 2017

4. Link to the website:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017R1263&from=EN>

5. Link to the translated legal text:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017R1263&from=EN>

6. Status of the legal text (underline the appropriate option):

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text (underline the appropriate option):

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- **Early warning and rapid response**
- **Control, management restoration**

- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders (list institutions with exact departments, which are involved in the implementations of those parts of the regulation which refer to IAS):

Member States of the European Union

9. Summary of the legal text in English (up to ½ page):

This Regulation is updating the list of invasive alien species of Union concern established by Implementing Regulation (EU) 2016/1141 with 12 species that meet criteria which were set out in Article 4(3), and the conditions set out in Article 4(6) of Regulation (EU) No 1143/2014. Species on the list are subject to the restrictions and measures set out in Regulation (EU) No 1143/2014.

10. Your view:

-

11. Articles relevant for IAS management:

The whole document is relevant for IAS. See the link above.

5.1.4. Commission Implementing Regulation (EU) 2019/1262 of 25 July 2019 amending Implementing Regulation (EU) 2016/1141 to update the list of invasive alien species of Union concern

1. English name of the legally binding text:

Commission Implementing Regulation (EU) 2019/1262 of 25 July 2019 amending Implementing Regulation (EU) 2016/1141 to update the list of invasive alien species of Union concern

2. The original name of the legally binding text:

Commission Implementing Regulation (EU) 2019/1262 of 25 July 2019 amending Implementing Regulation (EU) 2016/1141 to update the list of invasive alien species of Union concern

3. National gazette No. where it is published (list all amendments):

Official Journal of the European Union L199 Vol. 62, 26 July 2019

4. Link to the website:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1262&from=EN>

5. Link to the translated legal text:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1262&from=EN>

6. Status of the legal text (underline the appropriate option):

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text (underline the appropriate option):

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- **Early warning and rapid response**
- **Control, management restoration**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders (list institutions with exact departments, which are involved in the implementations of those parts of the regulation which refer to IAS):

Member States of the European Union

9. Summary of the legal text in English (up to ½ page):

This Regulation is updating the list of invasive alien species of Union concern established by Implementing Regulation (EU) 2016/1141 and updated by Implementing Regulation (EU) 2017/1263 with 17 species that meet criteria which were set out in Article 4(3), and the conditions set out in Article 4(6) of Regulation (EU) No 1143/2014. Species on the list are subject to the restrictions and measures set out in Regulation (EU) No 1143/2014.

10. Your view:

-

11. Articles relevant for IAS management:

The whole document is relevant for IAS. See the link above.

5.1.5. EU Biodiversity Strategy for 2030

1. English name of the legally binding text:

EU Biodiversity Strategy for 2030

2. The original name of the legally binding text:

EU Biodiversity Strategy for 2030

3. National gazette No. where it is published:

COM(2020) 380 final Brussels, 20.5.2020

4. Link to the website:

https://eur-lex.europa.eu/resource.html?uri=cellar:a3c806a6-9ab3-11ea-9d2d-01aa75ed71a1.0001.02/DOC_1&format=PDF

5. Link to the translated legal text:

https://eur-lex.europa.eu/resource.html?uri=cellar:a3c806a6-9ab3-11ea-9d2d-01aa75ed71a1.0001.02/DOC_1&format=PDF

6. Status of the legal text:

- National act
- Regional act
- Implementing regulation
- **Strategy or action plan**
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Member States of the European Union.

9. Summary of the legal text in English:

The EU Biodiversity Strategy for 2030 is a long-term plan for protecting nature and reversing the degradation of ecosystems in the EU. In the EU Biodiversity Strategy for 2030, invasive alien species are recognised as one of the five direct drivers of biodiversity loss which are making nature disappear quickly. The key commitments in the EU Nature Restoration Plan by 2030 also include that there is a 50 % reduction in the number of Red List species which are threatened by invasive alien species.

10. Your view:

-

11. Articles, relevant for IAS management:

2. PROTECTING AND RESTORING NATURE IN THE EUROPEAN UNION

2.2. An EU Nature Restoration Plan: restoring ecosystems across land and sea

2.2.10 Addressing invasive alien species

Invasive alien species can significantly undermine efforts to protect and restore nature. Besides inflicting major damage to nature and the economy, many invasive alien species also facilitate the outbreak and spread of infectious diseases, posing a threat to humans and wildlife. The rate of release of invasive alien species has increased in recent years. Of the 1,872 species now considered threatened in Europe, 354 are under threat from invasive alien species. Without effective control measures, the rate of invasion and the risks it brings to nature and health will continue to rise.

The implementation of the **EU Invasive Alien Species Regulation** and other relevant legislation and international agreements must also be stepped up. This should aim to minimise, and where possible eliminate, the introduction and establishment of alien species in the EU environment. The aim is to manage established invasive alien species and **decrease the number of Red List species they threaten by 50%**.

5.1.6. Council Directive 92 / 43 / EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

1. English name of the legally binding text:

Council Directive 92 / 43 / EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

2. The original name of the legally binding text:

Council Directive 92 / 43 / EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

3. National gazette No. where it is published:

Official Journal of the of the European Communities L206 Vol. 35, 22 July 1992

4. Link to the website:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31992L0043&from=EN>

5. Link to the translated legal text:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31992L0043&from=EN>

6. Status of the legal text:

- National act
- Regional act
- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- **Prevention of introductions**
- Risk assessments
- Early warning and rapid response
- Control, management restoration
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Member States of the European Union.

9. Summary of the legal text in English:

Council Directive on the conservation of natural habitats and wild fauna and flora aims to promote the maintenance of biodiversity, taking account of economic, social, cultural and regional requirements. It forms the cornerstone of Europe's nature conservation policy, together with the Birds Directive, and establishes the EU wide Natura 2000 ecological network of protected areas, safeguarded against potentially damaging developments.

10. Your view:

-

11. Articles, relevant for IAS management:

Article 22

In implementing the provisions of this Directive, Member States shall:

...

(b) ensure that the deliberate introduction into the wild of any species which is not native to their territory is regulated so as not to prejudice natural habitats within their natural range or the wild native fauna and flora and, if they consider it necessary, prohibit such introduction. The results of the assessment undertaken shall be forwarded to the committee for information;

5.2. SECTOR: AGRICULTURE

5.2.1. Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008

1. English name of the legally binding text:

Regulation (EU) No 1306/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008

2. The original name of the legally binding text:

Regulation (EU) No 1306/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008

3. National gazette No. where it is published:

Official Journal of the of the European Union L347 Vol. 56, 20. 12. 2013

4. Link to the website:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1306&from=en>

5. Link to the translated legal text:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1306&from=en>

6. Status of the legal text:

- National act
- Regional act

- **Implementing regulation**
- Strategy or action plan
- Code of conduct

7. Topics covered by the legal text:

- Definitions of alien species
- Prevention of introductions
- Risk assessments
- Early warning and rapid response
- **Control, management restoration**
- Financing
- Awareness-raising & capacity building
- National or international cooperation

8. Stakeholders:

Member States of the European Union.

9. Summary of the legal text in English:

This Regulation lays down the rules on the financing of expenditure under the Common Agricultural Policy (CAP), including expenditure on rural development, the farm advisory system, the management and control systems to be put in place by the Member States, the cross-compliance system and clearance of accounts.

10. Your view:

-

11. Articles relevant for IAS management:

Article 93

Rules on cross-compliance

1. The rules on cross-compliance shall consist of the statutory management requirements under Union law and the standards for good agricultural and environmental condition of land established at a national level as listed in Annex II, relating to the following areas:

- (a) environment, climate change and good agricultural condition of land;
- (b) public, animal and plant health;
- (c) animal welfare.

2. The legal acts referred to in Annex II concerning the statutory management requirements shall apply in the version in force and, in the case of Directives, as implemented by the Member States.

3. In addition, as regards the years 2015 and 2016, the rules on cross-compliance shall also include the maintenance of permanent pasture. The Member States which were Members of the Union on 1 January 2004 shall ensure that land which was under permanent pasture on the date provided for in the area aid applications for 2003 is maintained under permanent pasture within defined limits. The Member States which became Member of the Union in 2004 shall ensure that land which was under permanent pasture on 1 May 2004 is maintained under permanent pasture within defined limits. Bulgaria and Romania shall ensure that land which was under permanent pasture on 1 January 2007 is maintained under permanent pasture within defined limits. Croatia shall ensure that land which was under permanent pasture on 1 July 2013 is maintained under permanent pasture within defined limits.

The first subparagraph shall not apply to land under permanent pasture to be afforested if such afforestation is compatible with the environment and with the exclusion of plantations of Christmas trees and fast-growing species cultivated in the short term.

4. In order to take account of paragraph 3, the Commission shall be empowered to adopt delegated acts in accordance with Article 115 laying down the rules on maintenance of permanent pasture, in particular in order to ensure that measures are taken to maintain the land under permanent pasture at the level of farmers, including individual obligations to be respected such as the obligation to reconvert areas into a permanent pasture where it is established that the ratio of land under permanent pasture is decreasing. In order to ensure a correct application of the obligations of the Member States on the one hand and individual farmers on the other hand, as regards the maintenance of permanent pasture, the Commission shall be empowered to adopt delegated acts in accordance with Article 115 to establish the conditions and methods for the determination of the ratio of permanent pasture and agricultural land that has to be maintained.

5. For the purpose of paragraphs 3 and 4, "permanent pasture" means permanent pasture as defined in point (c) of Article 2 of Regulation (EC) No 1120/2009 in its original version.

ANNEX I

INFORMATION IN THE FIELD OF CLIMATE CHANGE MITIGATION AND ADAPTATION, BIODIVERSITY AND THE PROTECTION OF WATER AS LAID DOWN IN POINT (D) OF ARTICLE 12(3)

Biodiversity:

- Information on how to best prevent the spread of alien invasive species and why this is important for the effective functioning of the ecosystem and for its resilience to climate change, including information on access to funding for eradication schemes where additional costs are implied

ANNEX II

RULES ON CROSS-COMPLIANCE PURSUANT TO ARTICLE 93

Landscape, minimum level of maintenance	GAEC 7	Retention of landscape features, including where appropriate, hedges, ponds, ditches, trees in line, in group or isolated, field margins and terraces, and including a ban on cutting hedges and trees during the bird breeding and rearing season and, as an option, measures for avoiding invasive plant species
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