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Introduction

Sustainable development is accepted today as a new development paradigm, incorporating on equal terms the economic, social and environmental components. There is, however, a considerable gap between the declared commitment to sustainable development and the implementation of such legislation and measures as make the above development possible. This is not only the problem of Slovenia, but is faced also by other countries. The implementation deficit is demonstrated in insufficient implementation of the adopted laws and strategic documents and in inefficient performance of the government and its bodies. This deficit can be defined also as integration deficit or poor integration of environmental issues into the sectoral policies. Overcoming these gaps is urgent not only in view of approximation to the European Union, but also for the purpose of improving the efficiency of public expenditure, enhancing the democracy and above all, improving the state of the environment in Slovenia. In spite of our being very critical to the (non)implementation of the environmental legislation and commitments undertaken to bring about sustainable development in Slovenia, it should be emphasized that the EU Member States are not always consistent in their implementation of the *acquis* relating to the environment either. Non-governmental organisations can and must help by performing their supervision role, by participating in drafting legislation and by introducing new or alternative ideas into the standard patterns of the working of the society.

It is for the above reason that a group of representatives of the Slovenian environmental non-governmental organisations started the Project named **Green NGO Monitor** in 2000. In the first stage of the Project, we evaluated and compared pre-elec-

tion programmes by different political parties from the aspect of protection of the environment, nature and sustainable development. Through the analysis we showed how insufficiently these issues were included in the pre-election programmes that were to establish the direction of development for Slovenia from 2000 to 2004. After the elections and formation of the new (old) coalition, the Government took over the “old burden” of commitments made by the former governments (the Government has remained the same with regard to its constitution) and perhaps set one or two new aims to itself.

In the second stage of the Project, a group of representatives of the Slovenian environmental non-governmental organisations prepared, in cooperation with other interested organisations and individuals, a list of 64 indicators for evaluating the efficiency of the Government concerning the protection of the environment, nature and sustainable development. In the quarterly report, we evaluated nine indicators and reached the conclusion that for the first quarter of 2001, the overall estimate of the state administration’s efficiency in task implementation was merely 20%.

The third stage was started in December 2002, when Umanotera, the Slovenian Foundation for Sustainable Development, in partnership with the European Environmental Bureau (EEB) from Brussels, acquired funds within the Phare Access 2000¹ for the preparation of this Report. It presents the results of work performed by ten representatives of different non-governmental organisations, who for six months analysed the work of the Government in 15 fields during the first half of its term of office (2000-2002). The analysis was prepared on the basis of implementation evaluation of strategic and other

¹ *In addition to the financial support granted within the Phare Access 2000 programme, the Project is co-financed by the Royal Netherlands Embassy and the Government Public Relations and Media Office.*

key documents² and adopted legislation and programmes - we tried to evaluate how successfully they were made operational.

Designing methodology for the preparation of indicators and their selection and evaluation was the most demanding task of all, since we wanted to present the fulfilment of the Government's commitments in particular fields in as meaningful and representative manner as possible. According to the available data, the Government has not made any concrete and/or clear commitments in relation to certain selected indicators, but we have nevertheless included them in our evaluation, because holders of the chapters believed they were of vital importance for the evaluation of a particular chapter. Also, they wished to draw attention to the fact indicating that the Government failed to set up any definite aims in certain fields. Although we were evaluating the period from 2000 to 2002, we stretched it until the end of July 2003 where appropriate. Many documents that are still being prepared were not included in the analysis. With each indicator, we, the representatives of non-governmental organisations, also included our own demands/goals, which we believe should be carried out by the present Government or should else be transferred to the subsequent governments, given that some of the tasks stretch further into the future. When preparing the next report, we will evaluate the Government's performance also in terms of these demands, thus double-checking and double-evaluating it.

Due to the ample volume of the material, the structure of the Report is such that the readers may obtain information of varying depth and detail, depending on the level they choose. The chapters are linked into individual units. The Report starts with a summary of overall evaluations of chapters, which are also

² *The National Environmental Action Programme, Bio-diversity Conservation Strategy, Strategic Guidelines on Waste Management, governmental plans of action, negotiating positions for accession of Slovenia to the EU, the programme for adoption of the acquis, Coalition Agreement, etc.*

presented in graphs at the end. This is followed by summary evaluations of particular indicators and the overall evaluation by all the parties involved, relating to the accessibility of the desired data and information. The third part of the Report contains the most detailed information on particular indicators and also some supplementary opinions of the authors.

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Summary results

In the National Environmental Action Programme, the Government defined four priority fields for improving the state of the environment: care for a better status of waters, successful completion and supplementation of the established programmes on air protection, application of advanced methods of waste management and preservation of biological diversity and genetic resources.

These are only some of the commitments adopted by the Government with the purpose of reducing the pressure on the environment and thus improving the state of the environment. In order to fulfil them, the Government will have to start, among other things, with consistent implementation of the regulations, transposed in our legislation during the pre-accession period. The National Environmental Action Programme identi-

Although in 2000 the number of employed inspectors increased, the staffing in comparison with the number of classified posts decreased by 10% in the period from 2000 to 2001.

fied the adequate staffing of institutions as one of the key tasks for the protection of the environment and the nature, establishing at the same time that one of the main reasons for the inefficient performance of the inspection for environmental protection is precisely inadequate staffing in relation to the classified posts. The problem has remained the same even four years after the adoption of this Programme. Although in 2000 the number of employed inspectors increased, the staffing in comparison with the number of classified posts decreased by 10% in the period from 2000 to 2001. As a result, the Inspectorate for the Environment and Spatial Planning can exert adequate

control merely over the major polluters despite the appropriate qualification structure of its employees.

In the water sector, the quality of surface running waters has been stagnating for the past few years. After a major improvement in water quality in the first half of the nineties due to the abandoned production of certain major polluters, a further im-

After a major improvement in water quality in the first half of the nineties due to the abandoned production of certain major polluters, a further improvement of water quality can be expected only after the implementation of the construction programme of waste water treatment plants, the majority of which should already be in operation if the schedule set in the National Environmental Action Programme was adhered to.

provement of water quality can be expected only after the implementation of the construction programme of waste water treatment plants, the majority of which should already be in operation if the schedule set in the National Environmental Action Programme was adhered to. Owing to the financial complexity of the programme, however, Slovenia asked for and has been granted a ten-year transitional period by the EU, and subsequently prepared a new schedule for the construction of waste water treatment plants, planning their full completion by 2015 (those larger than 15000 PE will be completed already by 2010).

One of the priorities set is also reducing waste water emissions from the industry. The largest quantities of released waste water from the undertakings come from the plants producing roughage and paper and from the publishing and printing establishments. Environmental standards for the operation of this industrial sector are laid down in the Decree on the emission of substances in the discharge of waste waters from plants and facilities for the manufacture of paper, cardboard and paperboard, which are also the major polluters of water with suspended substances and chemical oxygen demand. This sector is also the

major and almost the single polluter with adsorbable organic halogens, therefore it is rather worrying that in 2000, only three out of ten producers concerned and in 2001 only two of them did not exceed any of the emission limit value for parameters measured in waste water as laid down by the Decree.

A greater problem in the field of water quality is represented by the lakes, the sea and particularly the underground water, since the pollution in these bodies of water is accumulated slowly and they are consequently more difficult or in some cases even impossible to rehabilitate. Particularly critical is the pollution of underground waters in the areas of intensive agriculture, where the use of plant protection products and the input of nitrates into the soil are particularly increased. This is demonstrated also in the results obtained by the national monitoring of pesticides in underground water. Since the representative

However, the sale of some kinds of pesticides (herbicides and fungicides), calculated on the active ingredient, increased during the period from 1997 to 2001, which obviously did not contribute to reducing the pollution of the aquatic environment by these substances.

value of the results is problematic, the only conclusion that can be reached is that certain parts of aquifers are polluted by atrazin and desethyl-atrazin, but the pollution with these two substances is gradually decreasing, probably also owing to the ban on the use of this pesticide in safeguard zones. However, the sale of some kinds of pesticides (herbicides and fungicides), calculated on the active ingredient, increased during the period from 1997 to 2001, which obviously did not contribute to reducing the pollution of the aquatic environment by these substances. If the quantity of active ingredients sold per one hectare of arable area is calculated, it can be concluded that their use increased in the period from 1997 to 2000 (the peak increase was recorded in 1999).

The indicator of the material inefficiency in Slovenia could also be the data obtained on the basis of ecological accounting, if only the competent Ministry would manage to prepare implementing regulations for the setting up of ecological accounting in companies after almost ten years since the adoption of the Environment Protection Act.

Knowing the extent of land contamination with pesticides (and other pollutants) is also rather difficult, because there is no systematic monitoring of land contamination in Slovenia (the available data cover only 13% of the Slovenian territory), notwithstanding the fact that under the National Environmental Action Programme, the detive tools for diminishing the contamination of the environment with pesticides is the preparation and beginning of implementation of the Slovene Agri-Environmental

Programme, which includes also the measures to reduce the pollution of the land and water caused by agriculture. Unfortunately, all the measures planned by the Slovene Agri-Environmental Programme are not being carried out yet.

In order to undertake any serious nature protection work, it is indispensable to possess a good knowledge of different habitat types, consequently their mapping is one of the key conditions for understanding the changes in ecosystems. However, since the implementation of this task is not among the conditions for the accession of Slovenia into the EU, the project was halted in 2002 despite the budget resources being earmarked for this purpose every year. Likewise, there have been almost no new developments concerning the establishing of new nature parks during the past few years. Currently, 7% of the Slovenian territory is under protection and the overall increase in the nature park surface area during the last 10 years has been negligibly small, so that the targeted 27% of protected territory in Slovenia remains still far to be reached. Under the Biodiversity Conservation Strategy, such areas should be defined also as areas

free of genetically modified organisms, therefore the delay in their formation is even more problematic. However, this is hardly surprising given that we are still without the action plan that would make the Strategy on preserving the biological diversity from 2001 operational. The competent authorities are behind schedule also in implementation of the 'Nature 2000' project, which is one of the

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most serious projects involving the setting up of a network of the most conserved parts of the nature.

Organic farming, constituting one of the measures of the Slovene Agri-Environmental Programme, is also contributing to the conservation of nature and biological diversity and the cultural landscape. The state has no other development mechanisms for this agricultural sector or else they tend to appear in a random manner. The share of organic farming is a well-established indicator of the integration grade of environmental protection in the agriculture, therefore it is encouraging that the number of organic farms in Slovenia is on the increase, although their growth is too slow in view of the set objectives. It is estimated that the current upward trend in the number of organic farms or farming land will slow down, since no considerable improvement in the introduction of measures promoting the development of organic farming can be expected on the basis of the present development programmes until 2007. Consequently, the strategy and action plan for the development of organic farming should be prepared, although the short-term working plan of the Ministry of Agriculture, Forestry and Food does not foresee the preparation of these two documents. Individual elements that might contribute to the development of this sector

are contained in the draft Programme for the Development of Rural Areas from 2004 to 2006, but this does not ensure an integral and long-term development of organic farming.

The existence and flourishing of organic farming is not threatened only by the lack of systemic development policies, but

It is estimated that the current upward trend in the number of organic farms or farming land will slow down, since no considerable improvement in the introduction of measures promoting the development of organic farming can be expected on the basis of the present development programmes until 2007.

also by the possibility of (un)intentional use of genetically modified organisms in agricultural ecosystems. The standards of organic farming do not allow the use of genetically modified organisms. Due to the seven years long legal vacuum and due to the additional, over a year long process of making operational the umbrella Management of Genetically Modified Organisms Act, adopted last year (and even this process has not been finished yet), Slovenia has

not yet established integrated control over the presence of genetically modified organisms. Therefore it is not surprising that during the period from 1998 to 2002, the import of seed maize from the three countries (USA, Canada and Romania), where genetically modified organisms are grown for commercial purposes, has increased considerably. Such potential incidental presence of genetically modified organisms in Slovenia may affect the farmers, covered by the Slovene Agri-Environmental Programme, because the use of genetically modified organisms is not allowed within this programme. It may also affect the farmers using conventional methods of farming and not wanting to grow genetically modified organisms. It is quite possible that we have imported also those kinds of genetically modified organisms that are not approved within the EU.

Protection of air is among those fields in Slovenia where a lot has been done in the past few years, particularly in terms of

reducing emissions from the stationary sources. Unfortunately, the pollution caused by traffic is increasing, posing a major long-term threat to the quality of air. Although the emissions of precursors of ground-level ozone, which - in contrast to the stratospheric ozone - are damaging to the health, are being reduced, this downward trend will not be sufficient for achieving the goals set by the Göteborg Protocol, which Slovenia signed in 1999 and plans to ratify it this year. In spite of slightly reduced emissions of precursors of ground-level ozone, the percentage of measuring posts where threshold concentrations of ground-level ozone were exceeded for over 36 days in the course of a year is on the increase. Due to the accession of our country to the EU, the criteria on the limit values of ground-level ozone concentration have been reduced by $10 \mu\text{g}/\text{m}^3$ (from 110 to $120 \mu\text{g}/\text{m}^3$), which can be understood as an irresponsible act in terms of human health and nature protection and as yet another proof that the EU guidelines are transposed to Slovenia taking the line of least resistance rather than following the principle that the role of the standards set in EU guidelines is that of the lowest common denominator which can be made stricter by Member State and candidate countries if they consider it necessary.

The state in the environment is the consequence of increased pressure on it, deriving from changed lifestyle patterns, economic growth and unsuccessful or inefficient reactions of the involved parties. It is evident that in Slovenia the pressure is increasing at least in certain segments of the environment and sectors. This is true also of the fields where the Government has clearly undertaken to reduce the pressure. One of them is the commitment to reduce green-

The fulfillment of Kyoto targets, will not be an easy task, since the greenhouse gas emissions have started to increase again after their minor reduction in the period from 1996 to 1999, as indicated by unofficial and incomplete data originating from 2001.

house gas emissions, deriving from the ratification of the Kyoto Protocol in 2002. This task, however, will not be easily fulfilled in Slovenia, since the greenhouse gas emissions have started to increase again after their minor reduction in the period from 1996 to 1999, as indicated by unofficial and incomplete data

In spite of introducing tax on CO₂, which is often cited by the Government as a reference that Slovenia has already started the green tax reform, the fossil fuels are still not taxed sufficiently to promote reduced dependence on them and reduce their use and to encourage the use of renewable energy sources instead, thus limiting the emissions of greenhouse gases.

originating from 2001. Such a trend is not surprising considering the fact that the energy and electrical-energy intensity were increased in the period from 2001 to 2002. The consumption of heating oil and liquefied petroleum gas for general consumption has more than doubled since 1990, whereas the old wood biomass stoves, boilers and plants have not been refurbished respectively replaced with modern user's and environmental friendly high performance-low emission ones nor has the heat characteristics of the build-

ings significantly improved. Knowing that the Government is behind schedule in its preparation of the National Energy Programme for over two years and that it is similarly behind schedule in the preparation of the Operation plan of the reduction of greenhouse gas emissions, such outcome is hardly surprising. In Slovenia we do not know yet how to transform the challenges posed before the mankind by the global climatic changes into a commercial opportunity and how to preserve the prosperity of our inhabitants while taking care of the conservation of the environment.

One of the major challenges awaiting us in relation to the reduction of greenhouse gas emissions is in the traffic sector, which from the aspect of environment protection organisations is growing much more rapidly than we would want it to. This trend is further assisted by the fact that Slovenia has not yet

established a transport policy and that investments into infrastructure give priority to the construction of roads and not the construction and modernisation of railway infrastructure. Average annual investments into the railway infrastructure amount to approx. 11% of all funds earmarked for investments and investments in maintenance, while the average annual investments into the road infrastructure amount to approx. 86% of the latter figure. Such priorities are a wrong signal for the society, resulting in increased car passenger traffic on the account of reduced public passenger traffic. Freight road traffic is also increasing rapidly, thus posing an additional long-term threat to the quality of natural environment in Slovenia and also to the attractiveness of Slovenia as a tourist destination.

Apart from the programmes and policies that must necessarily incorporate the environmental aspect, the reduction of the pressure put on the environment can also be facilitated by the green tax reform. However, the Government failed to include it in the national programmes, strategies and policies, except for a reference made to it in the National Environmental Action Programme. By preparing the national strategy or programme on the green tax reform, the latter should be set in the core of the general government financial policy in Slovenia. In spite of introducing tax on CO₂, which is often cited by the Government as a reference that Slovenia has already started the green tax reform, the fossil fuels are still not taxed sufficiently to promote reduced dependence on them and reduce their use and to encourage the use of renewable energy sources instead, thus limiting the emissions of greenhouse gases. One of the urgent definite measures of the green tax reform could be raising the value added tax rate for pesticides that are currently charged at a lower and environment-damaging rate of 8.5%.

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Slovenia is facing not only the energy but also the material inefficiency. Although deficient, contrasting and not updated, the available data show that Slovenia has not achieved even those objectives set for reducing the quantities of deposited waste that the Government laid down in Strategic Guidelines on Waste Management from 1996. This is unacceptable from the aspect of sustainable development and protection of natural resources, particularly because Strategic Guidelines on Waste Management was in concept an obsolete document even at the time of its creation, since it did not focus on the prevention of waste production but offers instead 'a range of solutions' for their disposal and removal, among other

Although deficient, contrasting and not updated, the available data show that Slovenia has not achieved even those objectives set for reducing the quantities of deposited waste that the Government laid down in Strategic Guidelines on Waste Management from 1996.

also the construction of two incineration plants. Regardless of the fact that the Strategic Guidelines on Waste Management were to be revised within the National Environmental Action Programme by 1999, the competent Ministry, according to the available information, has not performed an overall revision of the document, not even with delay. The Government has not studied the economic measures to enhance the growth of the material and energy efficiency of the society as foreseen in the National Environmental Action Programme. Only a few of the measures contained in the Strategic Guidelines on Waste Management are aimed at the prevention of waste production and their toxic potential, therefore the preventive action, which is at the top of the waste management hierarchy, shall still have to fight its way to its rightful place in Slovenia. The indicator of the material inefficiency in Slovenia could also be the data obtained on the basis of ecological accounting, if only the competent Ministry would manage to prepare implementing regulations for the setting up

of ecological accounting in companies after almost ten years since the adoption of the Environment Protection Act.

Regardless of the fact whether we will be building incineration plants or not the reduction of the waste toxic potential is of utmost importance because it is the only way to prevent the accumulation of toxic substances in the environment. Dioxins also form part of these substances. In Slovenia, we have not yet assessed the concentration of dioxins in the environment and there are no signs indicating that such a study is to be taken in the near future. Likewise, Slovenia has no orderly (and accessible to the general public) data on the use of dangerous chemicals, which is probably also the result of the fact that the competent authorities have not yet managed to determine the policy on the management of chemicals, although such policy should have been well established considering the commitments under the National Environmental Action Programme.

The negotiating positions for accession of Slovenia to the European Union indicate for several chapters that the national legislation concerning the respective fields will be harmonized with the *acquis* also by the adoption and bringing into force of the Act amending the Environment Protection Act. It is upsetting that this Act, under the 2002 Government Programme, should have undergone the parliamentary procedure already in April last year. At this point it seems reasonable to raise the question as to whether the operationalization of the new Act will be more efficient than the operationalization of the current Environment Protection Act, characterised by a number of non-adopted implementing regulations.

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We evaluate that in the field of facilitating free access to environmental data to the general public in Slovenia, the most

We evaluate that in the field of facilitating free access to environmental data to the general public in Slovenia, the most problematic issue seems to be the obtaining of the desired environmental data on request of the interested parties, which we have experienced personally when preparing this Report.

problematic issue seems to be the obtaining of the desired environmental data on request of the interested parties, which we have experienced personally when preparing this Report. One of the reasons for this is the fact that Slovenia has not yet ratified the Aarhus Convention, although it signed it in 1998. The situation concerning the access to environmental data is expected to be improved by the full implementation the Act on Access to Data of Public Character which

was accepted in the first half of the current year. Some aspects of public accessibility of environmental information still remain to be additionally regulated by the new Environmental Protection Act.

Internet has enabled the competent authorities to use their own initiative more often to inform the interested public on the quality of the environment and the related facts. The Ministry of the Environment, Spatial Planning and Energy regularly supports the publishing of popular and expert publications on the basis of public tenders. The Environmental Agency likewise publishes regularly annual reports on the quality of environmental media based on the national monitoring. Nevertheless, we do not yet have an information and documentation centre/library for the protection of the environment, where any interested party could have access to the collected and systematically classified relevant data on the environment. The Government will be able to use the potential provided by certain elements of the Waters Act (Conferences on Waters) and the Spatial Planning Act (Conferences on Spatial Planning) only by providing better access

to the information and data, since the legal framework alone does not constitute sufficient grounds for constructive involvement of the general public into decision procedures.

An important segment of the general public is additionally hindered from participating in decision procedures concerning the environmental issues by their social exclusion. Regretfully, their number in Slovenia is increasing, a trend that is demonstrated by data on the growing number of persons entitled to unemployment assistance and those receiving this assistance. Perhaps the situation in this field might also benefit from accelerated implementation of one of the green tax reform key elements by starting to move the tax burden from work to the natural resources. In Slovenia, the share of revenues generated by environmental taxes exceeds the respective average in the European Union and the taxes on payroll and workforce (although they are relatively high) do not reach this average. The latter, however, demonstrate a growing trend, whereas the environmental taxes have not changed considerably in the period from 2000 - 2002. Should such a trend persist, both the state of the environment (due to the even more irresponsible use of the natural resources) and the social situation will continue to deteriorate.

The inefficiency of the Slovenian Government in the field of environmental protection is considerable. This, however, is hard to show because the inefficiency is frequently still hiding behind a relatively well-conserved state of the natural environment. But it is questionable how long this image can be kept up, if the Government refuses to look in the mirror and ask itself how its inefficiency will be judged by the future generations that perhaps will no longer live in the same environment as we live in today. The accession of Slovenia to the European Union is, among other things, also the opportunity for Slovenia to find its place in a progressive approach to the protection of the environment and consistent adherence to its commitments.

Evaluations

Climatic changes	☹️↑
Genetically modified organisms	☹️
Chemicals	☹️
Waste	☹️↓
Energy	☹️●
Industry	😊↑
Agriculture	😊●
Traffic	☹️↓
Nature	☹️↓
Waters	😊↑
Air	☹️↓
Civil society rights	😊↑
Sustainable development	😊↓
Legislation and institutions	😊↑
Green tax reform	😊●

Evaluations of the Government shall be subject to the following definitions:

- 😊 – good performance
- 😊 – acceptable performance
- ☹️ – poor performance

Symbols for trends shall have the following meaning:

- ↑ – the trend is positive/is improving
- – stagnation
- ↓ – the trend is negative/is deteriorating

Notes:

