

# Country report on the legal framework on Public-Private Partnership (PPP): SLOVENIA

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## 1. Introduction

Slovenia, officially the Republic of Slovenia, is a country in Central and Southeastern Europe touching the Alps and bordering the Mediterranean. Slovenia borders Italy to the west, Croatia to the south and east, Hungary to the northeast, and Austria to the north, and also has a small portion of coastline along the Adriatic Sea. It covers an area of 20,273 square kilometers (7,827 sq mi) and has a population of 2.05 million. The capital and largest city is Ljubljana.

Until now Slovenia is a unitary state with only two tiers of administration - central government and municipalities (no intermediary level). Slovenia is broken down into 211 municipalities, which deal with issues of local importance and those allocated to them by statute. Eleven of them are urban municipalities (Celje, Koper, Kranj, Ljubljana, Maribor, Murska Sobota, Nova Gorica, Novo Mesto, Ptuj, Slovenj Gradec, and Velenje).

The majority of people live in towns and cities, but a significant number live in the countryside. Agriculture accounts for only a small proportion of the workforce, while the majority of Slovenians work in services and manufacturing.

Historically, the current territory of Slovenia was part of many different state formations, including the Roman Empire and the Holy Roman Empire, followed by the Habsburg Monarchy. In 1918, the central (inner) part of Slovene exercised self-determination for the first time by co-founding the internationally unrecognized State of Slovenes, Croats, and Serbs. During World War II, Slovenia was occupied and annexed by Germany, Italy, Hungary and Croatia only to emerge afterwards reunified with its western part as a founding member of the Socialist Federal Republic of Yugoslavia. From 1920 to 1943 the west part of Slovenia was under the jurisdiction of the King of Italy. In 1991, Slovenia declared full sovereignty. It has since established an international position and reputation as a democratic and stable Central European country. Today it is an important international player - a place where statesmen would meet, a member of international organizations, and a country enjoying friendly ties with other countries around the world.

Culturally and demographically, Slovenia has been a border area throughout its history. Here, four linguistic and cultural groups of the continent have been meeting: Slavic, Germanic, Romance and Uralic. The population of Slovenia has become more diverse in regard to its language and ethnic composition through recent decades but is still relatively homogeneous.

**Art and culture have always held a special place in the history of the Slovenian nation.** With them Slovenes substituted to a large extent for the non-existence of their own state and political institutions, and it is through their language and culture that for centuries managed to preserve their identity as a nation.

Despite the polycentric organization of the cultural area, the **financing of culture falls largely under the jurisdiction of the state** (providing up to two-thirds of all funding for culture, which is about two percent of the whole budget) ([http://www.vlada.si/en/about\\_slovenia/culture/](http://www.vlada.si/en/about_slovenia/culture/)).

On the base of the European strategies and resolutions, the Slovenian government recognized the culture and its heritage as an important resource for the achieving sustainable development as well,



including economy growth, social and territorial cohesion and protection of cultural diversity. Article 5 of the Constitution of the Republic of Slovenia determines that the state “shall provide for the preservation of the natural wealth and cultural heritage and create opportunities for the harmonious development of society and culture in Slovenia.” The Constitution enables direct implementation of provisions of international treaties/conventions, ratified by Slovenia (e.g. of Unesco and Council of Europe).

The importance of cultural issues is involved also in Slovenia’s Development Strategy (Adopted in 2005), where it is highlighted that **culture can serve as state’s strategy of sustainable development and as a base for straightening Slovenia’s national, cultural and spatial identity and its recognition in the word**. Because of that, the strategy strives for systematically preservation and development of the overall cultural heritage and links it to the modern way of living and creating.

The development potential of cultural heritage and its utilization is more concretely presented in the Resolution on National Development Projects for the Period 2007-2023, where one of the five key focus areas of the projects included the synergy of natural and cultural resources which include natural and cultural heritage. **Heritage is regarded as having huge economic and social development potential**. The aim of projects is to create the network of natural and cultural potentials for economic use and with a view to sustainable protection of the natural and cultural heritage. This focus area covers two central thrusts, one of them linking natural and cultural heritage and contemporary cultural creativity with business projects (artistic residential centres - tourism - cultural events - sports and leisure activities), whereas the other seeks to connect these areas with markets by means of developing tourist infrastructure and management of tourist destinations. In this context, the presumed outcome is the development of programmes that will be interesting for the market, increasing tourist spending and extending stays in tourist areas, and making Slovenia more recognizable and attractive to foreign and domestic investors. The weaknesses of the Resolution is that, although heritage is recognized as the potential for economic growth and driving forces for future development and investment in the heritage are not linked only to the public, but also to the private sector, little emphasizes are given to the protection and revitalization of cultural heritage.

The main affairs connected with cultural heritage are in the domain of **Ministry of Culture**. The Ministry is responsible for forming and implementing cultural policy and cooperation with other ministries, as well as for the field of cultural heritage protection in Slovenia, including all sector regulations and financial management of state budget, intended for protection interventions. The Ministry is a second level (complaint) authority in the procedures of issuing consents for intervening in cultural heritage. It has established other bodies in connection cultural heritage that operate under its jurisdiction: the Directorate for Cultural Heritage; the Culture and Media Inspectorate; the Archives of the Republic of Slovenia. Because of the economic and social crisis from 2008 and related reforms from 2012 (Fiscal Balance Act) the funds for culture has been drastically cut down and the Ministry is not able to acquire enough resources for renovation and conservation of many cultural monuments that are spread all over the country and are of crucial importance for social, economic and cultural development. Therefore, new ways of funding should be developed, like public-private partnership model, which has become a popular model in Slovenia after the Public-Private Partnership Act in 2006. However, there are very few projects in the field of culture which try to implement this model for maintenance and management of heritage. Although culture is understood as a media or source to force sustainable development and especially green growth, the attitude toward culture and its understanding as a driving force for development is still very negative among local residents and especially among entrepreneurship. Culture is often understood as art practice and an element that



just needs public resources, which should be assured by the state. Although the transnational strategies highlight that “some companies might try to improve their public image and reputation through investing in heritage conservation, especially public image and reputation, increasing profitability, accessing to new markets, sustainability, higher employee morale, market positioning and improving investor relations” (Starr 2010: 162-165), there is still lack of consciousness. The problem which also rises is that the business companies need short-term projects for quick results and its promotion, which unfortunately the project dedicated to revitalization and conservation cannot assure.

## 2. National context for PPP

### 2.1 PPP policy and legal framework

Implementation of PPP projects is a novelty in Slovenia, because there is no tradition of public-private partnership, even less in the field of culture. Therefore, PPP have not had political support in the 1990s. At the beginning of 1990s country risk of Slovenia was very high and major public investments had been financed by public money (highways). In the second part of 1990s only few PPP projects were implemented (e.g. Maribor Wastewater Treatment Plant), but without any strategic guidance. In the period 2000-2006 the situation did not change considerably due to various reasons.

Finally the Republic of Slovenia introduced the law on Public Private Partnership at the end of year 2006 (Zakon o javno-zasebnem partnerstvu, shortly ZJZP). The Public Procurement Act and Local Government Act complement the legal framework.

The act, which came into force on 7th March 2007, defines the public-private partnership in the following way: »The public-private partnership represents a relationship involving private investment in public projects and/or public co-financing of private projects that are in the public interest, and such relationship is formed between public and private partners in connection with the construction, maintenance and operation of public infrastructure or other projects that are in the public interest, and in connection with the associated provision of commercial and other public services or activities provided in a way and under the conditions applicable to commercial public services, or of other activities where their provision is in the public interest, or other investment of private or private and public funds in the construction of structures and facilities that are in part or entirely in the public interest, or in activities where their provision is in the public interest.« (Public-Private Partnership Act, art. 2).

The PPP Act regulates the purpose and principles of private investment in public projects and/or of public co-financing of private projects that are in public interest. Furthermore, the PPP Act also regulates the methods of encouraging public-private partnerships and the institutions concerned with its encouragement and development, the conditions, procedures for creation, the forms and methods of operating public-private partnerships, the special features of works and service concessions and of institutional public-private partnerships. The PPP Act regulates the transformation of public companies, the system of law that applies to resolving disputes arising from public-private partnerships, and the jurisdiction of the courts and arbitration services to decide on disputes arising from such relationships.



Although the cooperation between the public and private capital was already possible before the PPP Act, the cooperation under those provisions was rather limited.

According to PPP Slovenian Act the possible forms of public-private partnerships are:

**Contractual Partnerships that may have form of:**

- A concession; or
- A public procurement partnership.

**Institutional or equity partnerships, which can be established:**

- By founding a new legal entity;
- Through the sale of an interest by the public partner in a public company or other entity of public or private law;
- By purchasing an interest in an entity of public or private law, recapitalisation; or
- In another manner in comparative terms legally and actually similar and comparable to the aforementioned forms and through the transfer of the exercising of rights and obligations proceeding from the public-private partnership to such person.

The process of forming a public-private partnership can begin under the Slovenian legislation either by initiative of the public or private sector (<http://www.pppforum.si/en/podrocje/koncesije-in-javno-zasebna-partnerstva/>, Kavaš 2012: 11-13).

According to Borut Strazišar, Senior Lecturer at the Faculty of Management Koper, although the law is very exact on all the procedures to form public private partnerships and although there is also a law on public procurement, some considerations should be mentioned:

- the above mentioned law does not cover all the possible types of public private partnerships (e.g. agency, service contracts, profit sharing contracts, etc.);
- there are no manuals for operating public private partnerships;
- state and local communities look at public private partnerships as a magical stick to resolve all the problems in public sector but there are no ideas what are expected standards of provided service, how to protect public interest, how to promote the use of public service etc.;
- there is no real political wish for public private partnerships;
- there is strong people's opposition against public private partnerships as a way of public service privatization. (<http://www.epppc.hu/slovenia>).

## 2.2 Public institutions and PPP support units

Besides the well-developed legal framework of the public-private partnership, Slovenia has also specific institution dedicated to this mechanism. In the framework of the Ministry of Finance the Public Property Management is in charge for public-private partnership mechanism. Moreover, there is also a specific council, **the Council of the Government for public-private partnership**, which joins experts on legal, economic and other fields. The Council is headed by the Minister of Finance (Ministrstvo za finance 2016).



Besides, in Ljubljana is situated the **Institute for public-private partnership, Slovenia** as well, which was founded in 2008 as a private institute with the belief that legal and economic scientific research in the field of public-private partnership should be encouraged and that the results of the research should be systematically transferred into practice. Hence, the Institute comprises a dynamic group of experts from various fields, including law, economics, project management, and communication sciences, who share an unwavering thirst for knowledge. Its team comprises its own employees and external experts. Various young employed associates and external consultants are working within them (<http://www.pppforum.si/en/>).

## 2.3 Incentives and funding mechanisms available for PPP

There are no incentives and funding mechanism available for PPP in Slovenia.

## 2.4 Relevant guidelines and documents on PPP

The main task of the Department for Public Private Partnership ("Sektor za javno-zasebno partnerstvo in sistem javnega naročanja") is to develop, monitor, and help in the implementation of PPPs in Slovenia. In this capacity, the PPP Department publishes manuals for operating PPPs, formulates expert proposals for amendments to regulations and the adoption of other measures that might improve practices and eliminate problems, and performs other tasks provided by the PPP Act (<https://pppknowledgelab.org/countries/slovenia>).

## 2.5 Previous and current PPP experience

According to the Report prepared by the Ministry of Finance from 2009, the situation of PPP implemented project was very negative. The main reason was connected with a large number of municipalities that were financially too weak to participate in PPP projects and the fact that undersized projects did not stimulate enough investment interest from the private sector. Second possible reason was that role of structural EU funds was very minor and not seen at all; although EU regulations were attempting to change this (COM, 2009, 615). The third reason for underdevelopment of PPPs in Slovenia was the Public sector lacking knowledge on implementing and managing PPP projects. This was common to all the countries that were at its earlier stages of PPP development. The fourth and final reason was that the organisational unit (of Ministry of Finance) responsible for PPPs acted too passively and, as a public partner, it did not give enough stimulation for the private partner to get involved in PPPs.

However, according to the PPP knowledge lab (knowledge to innovate for smarter public-private partnerships) in the 2012 Infrascope the Slovenia's overall PPP performance was ranked high (<https://pppknowledgelab.org/countries/slovenia>). As of 2012, the **majority of PPP infrastructure projects have been awarded at the local level by the Municipalities**, which are the drivers of PPPs in different fields - social housing, child day care, waste management, sports infrastructure, cultural buildings, parking garages, public lighting, photovoltaic, sports infrastructure, smart cities technologies, ICT, road maintenance, public transport services, etc. Due to economic crisis and higher state debt there are increasing debates among politicians in terms of (re)building infrastructure through the use of PPPs. However, on the other hand, the business environment is still rather discouraging at the moment.

Until recently, local self-government's share of public expenditure has been relatively low compared to the other European countries. Municipalities in Slovenia played a relatively limited role. Local government expenditure was slightly above 5% of GDP (Žohar 2008: 162, quoted in Kavaš 2012: 16).



Besides, a destructive blow has presented the New Financing of Municipalities Act that entered into force on 1st January 2007 and has had a strong negative effect on the many of Municipalities. In order to partially compensate for the negative effects of the New Financing of Municipalities Act and needs for the investment have represented additional motivation for use of PPP in some municipalities (like Municipality of Ljubljana, Municipality of Maribor etc.).

Until 2012, the Municipality of Ljubljana was the most active user of PPP. From 2006 it prepared and implemented many projects, which was based on the PPP model:

- The stadium and multipurpose hall in Stožice (Stadion in večnamenska dvorana v Stožicah);
- The parking house under the Town Marketplace (Parkirna hiša pod mestno tržnico);
- Enrichment of programmes in the park Tivoli and project Ilirija (Obogatitev programov v Tivoliju in project Ilirija);
- Construction of Travelling Centre Ljubljana (Gradnja Potniškega centra Ljubljana) Emonika;
- Reconstruction of the Rog factory (Obnova Roga);
- Centres for Elderly (Domovi za starejše občane).

Among them only the project of reconstruction of the Rog factory was dedicated to the renovation of built heritage (industrial heritage), where they planned to modify the old industry of bicycles to Art Centres of creative industry, where artists, architects and designers would have their places for work and perform their projects. The project was prepared on the base of PPP model, but the Municipality has had difficult to find private partner and implement it.

According to Damjan Kovaš who prepared the recommendations for the Municipality of Ljubljana on how to proceed with PPP project (2012), the lack of sufficient private funding for culture or sport is due to the nature of the project which are not market interested. Besides, the transfer of long-term risks from the public to the private sector is not regarded favourably in Slovenia. Also in the planned project which will be formed in the PPP model, did not include the renovation and preservation of cultural heritage, which could be the key question for the introducing the PPP model in cultural fields.





## 3. National context for revitalization and cultural heritage

### 3.1 Revitalization policy and legal framework

The professional monument protection in Slovenia was formed within the Vienna Central Committee, where art historians were responsible for the protection of cultural heritage. In 1913, the Office for Kranjska or Carniola (the central and eastern part of Slovenia) was established. Between 1957 and 1980 the basic national institutions were set up. Throughout the 1990s, changes in the socio-political system gave heritage protection many opportunities, including the re-organisation of monument protection into a public service offering a uniform system of heritage protection, a clarification of the role of the state in heritage protection and the adoption of a mechanism to help private owners assert their public interest in the preservation of these monuments ([http://www.culture.si/en/Heritage\\_preservation\\_and\\_restoration\\_in\\_Slovenia](http://www.culture.si/en/Heritage_preservation_and_restoration_in_Slovenia)).

Since 1995 the revitalization of monuments or immovable cultural heritage has been under the jurisdiction of the **Ministry of Culture**. In 2004, Slovenian state administration was reformed and, to this purpose, a public institution - the **Institute of the Republic of Slovenia for the protection of cultural heritage** was established, and the **Directorate for cultural heritage of the Ministry of Culture** of the Republic of Slovenia formed. At the same time, **INDOK - Information and Documentation centre** was established at the Ministry of Culture, which amongst other tasks, manages and maintains a computer based **Cultural Heritage Register**, together with professional support of the Institute for the protection of cultural heritage. In addition, in 2004, the implementation of two EU directives on Environmental Impact Assessment (EIA; 85/337/EEC) and Strategic Environmental Assessment (SEA; 2001/42/EC) followed in a new Environmental Protection Act (2004). This Act established cultural heritage as one of the elements in environmental impact assessment procedure and spatial planning, and involved stakeholder participation in the decision-making process. This development paved the way for implementation of a sustainable paradigm also in the field of cultural heritage conservation (Vodopivec, Žarnič 2012). In 2008 a new Law on Cultural Heritage Protection laid down current principles and the institutional coverage of heritage protection.

There is no special national Act dedicated to revitalization policy in Slovenia and the **Cultural Heritage Protection Act from 2008** (available at: [http://www.arhiv.mk.gov.si/fileadmin/mk.gov.si/pageuploads/min\\_eng/legislation/CHPA.pdf](http://www.arhiv.mk.gov.si/fileadmin/mk.gov.si/pageuploads/min_eng/legislation/CHPA.pdf)) is the basic act concerning cultural heritage. It defines immovable (built and archaeological heritage and cultural landscape), movable and living cultural heritage; it determines the establishment of protection; interventions; use, management, and other actions in relation to heritage; pre-emptive right and expropriation; funding special protection measures; register and documentation; heritage protection in developmental plans; tasks of public protection offices; implementation of protection activities on the basis of titles and contracts, as well as specialised protection activities; NGOs in the area of protection; inspection and sanctions in cases of violations.

Based on the Act, the subjects of public benefit for the protection of an individual item or value are registered heritage, national wealth, monuments, heritage protection areas, and archaeological remains. *Registered heritage* contains movable, living (intangible), and immovable heritage. Immovable heritage is entered in the register as individual real property or heritage area. Movable heritage is entered in the register as an individual piece of movable heritage or as a collection while



living heritage is entered together with the cultural environment which supports such heritage and provides for the realisation thereof. *National wealth* is movable asset, stipulated by the Regulation 3911/92/EEC and additional criteria of the Ministry of education, science, culture and sport.

Whereas the main purpose of the project RESTAURA is to highlight the revitalisation and protection of historical buildings and towns, the main focus in the next pages will be on the presentation of immovable heritage.

In the **Cultural Heritage Protection Act from 2008** the **registered immovable heritage** constitutes an expressive achievement of creativity or a valuable contribution to cultural diversity, is a significant part of the space or heritage of the Republic of Slovenia or its regions, or represents a source for understanding historical processes, occurrences, and their connection with the present culture and environment.

The Immovable heritage can be proclaimed a **monument on account of its extraordinary significance for the State** (monument of national significance), or its special significance for the region or municipality (monument of local significance). In addition, the immovable monument may be proclaimed as an individual monument or as a site. A part of an immovable monument is also its immediate surroundings and fixtures which, together with the immovable monument, form a spatial, functional or contextual whole.

The Institute of the Republic of Slovenia for the protection of cultural heritage prepares a proposal for proclaiming a monument at its discretion or upon the initiative of another person.

In preparing a proposal for proclamation, the Institute informs the owners of the heritage which is to be proclaimed a monument, providing them with the opportunity to give their opinion on the proclamation.

An act on the proclamation of a monument of national significance is proclaimed by government act, and a monument of local significance by a decree by the representative body of the region or municipality (preservation decree).

On the basis of the **preservation decree**, the legal status of the immovable monument and its area of impact, if so provided for by the preservation decree, are noted in the **land register** as an immovable monument. The proclaiming authority of the monument submits the preservation decree to the competent land register. In the case an area of heritage of a wider territorial coverage with development problems and challenges, the government and the region or municipality in the territory in which the heritage lies may agree on the **joint conservation of the area by agreement**. Other entities with important development tasks or responsibilities in the area for implementing certain development policies may also accede to the agreement ([http://www.arhiv.mk.gov.si/fileadmin/mk.gov.si/pageuploads/min\\_eng/legislation/CHPA.pdf](http://www.arhiv.mk.gov.si/fileadmin/mk.gov.si/pageuploads/min_eng/legislation/CHPA.pdf)).

Another legislative document, which refer to specific aspects of preservation of immovable cultural heritage, is: **The Law on privatization of publicly-owned cultural monuments, 1999**, which gives the ownership rights to the state or municipality, depending on the monument's significance. (In Slovene language available at: <http://www.uradni-list.si/1/content?id=22522>).

Based on the new transnational declarations and conventions prepared by UNESCO and Council of Europe the **integrated approach for conservation and restoration** is proposed, which has to be implemented through development-planning and other measures taken by the State and the municipalities



([http://www.arhiv.mk.gov.si/fileadmin/mk.gov.si/pageuploads/min\\_eng/legislation/CHPA.pdf](http://www.arhiv.mk.gov.si/fileadmin/mk.gov.si/pageuploads/min_eng/legislation/CHPA.pdf)).

Therefore, the revitalization and conservation of immovable heritage does not encompass simply the protection of buildings and objects, but - by considering the spatial totalities and values of the cultural environment - it brings together the expertise of the fundamental disciplines of archaeology, architecture, ethnology, landscape architecture, history, technical history, history of art, and urban history, and the specialist knowledge and theoretical approaches of conservation, restoration, and preventive archaeology.

### 3.2 Heritage protection policy and legal framework

The basic heritage protection principles are determined in the **Constitution of the Republic of Slovenia** (1991, available at: [http://www.pf.uni-mb.si/datoteke/janja/Angleska%20PT/anglesko-slovenska\\_urs.pdf](http://www.pf.uni-mb.si/datoteke/janja/Angleska%20PT/anglesko-slovenska_urs.pdf), where the *Article 5* determines that the main role of the state is to: "... provide for the preservation of the natural wealth and cultural heritage and create opportunities for the harmonious development of society and culture in Slovenia" while *Article 73* determines framework obligations of protecting natural and cultural heritage: "Everyone is obliged in accordance with the law to protect natural sites of special interest, rarities, and cultural monuments. The state and local communities shall promote the preservation of the natural and cultural heritage."

Until 1999, natural and cultural heritage were regulated within the same law and within the same office. In 1999, natural heritage came under the jurisdiction of the Ministry of Environment, Space and Energy, while cultural heritage remained under the jurisdiction of the Ministry of Culture.

The basic act concerning cultural heritage in Slovenia is **The Cultural heritage protection Act**, where heritage is defined as "resources inherited from the past which Slovenes, members of the Italian and Hungarian ethnic communities, and of the Romani community, as well as other nationals of the Republic of Slovenia, determine to reflect and express their values, identities, religious and other beliefs, knowledge and traditions. The concept of heritage includes those features of the environment which have been shaped over time by the interaction between people and place" ([http://www.arhiv.mk.gov.si/fileadmin/mk.gov.si/pageuploads/min\\_eng/legislation/CHPA.pdf](http://www.arhiv.mk.gov.si/fileadmin/mk.gov.si/pageuploads/min_eng/legislation/CHPA.pdf)). The Act based on several key international conventions and declarations from the field of cultural heritage (e.g. Convention for the Protection of the World Cultural and Natural Heritage, Convention for the Safeguarding of the Intangible Cultural Heritage, Convention on the Protection and Promotion of the Diversity of Cultural Expression etc.) and, according to this, it brings into account both tangible as well as intangible heritage. It aims to suppress the problems which have not been successfully solved by previous legal provisions, e.g. improvement of cultural heritage management; the protection of intangible heritage; harmonisation of conservation practices and standards; rationalisation of public services in the field of cultural heritage; clarification of monument protection taken into the consideration future regionalisation; introduction of the concept of public benefit of protection of cultural heritage; and more respect of the rights of owners of cultural monuments. Furthermore, the heritage is defined holistically and environment is taken into account (e.g. landscape is regarded also as cultural heritage (not only as natural one as in the *Nature Conservation Act*). The Act also specifically implies the integrated approach to conserving heritage and necessity of inclusion of heritage into sustainable development is stressed. The Act also takes into consideration endangered heritage and specifies measures to protect it. When certain registered heritage has monument value and there is a risk that the value will be derogated or destroyed, the Ministry of Culture is obliged to adopt a decision on temporary listing as a monument. At the same time, time-limited listing must be



accompanied by a procedure for the preparation of a proposition for the permanent listing of the cultural monument (Poljak Istenič 2014).

### 3.3 Public participation in revitalization and heritage conservation

Based on the Cultural Heritage protection Act from 2008, public has very important role in the revitalization and conservation processes of immovable cultural heritage as well as in the procedure of proclaiming the heritage as a monument of national significance or as a monument of local significance.

As revitalization and conservation of local or national monuments demand a special procedure prepared by the Institute for the Protection of Cultural Heritage, a brief description of the proclamation of immovable heritage and involvement of local society in proclamation is presented in the following paragraphs.

The Institute for the Protection of Cultural Heritage of Slovenia first prepares a proposal for proclaiming a monument at its discretion or upon the initiative of another person. If the Institute refuses the initiative for proclamation, it shall inform the person who submitted the initiative of its decision and the reasons thereof.

In preparing a proposal for proclamation, the Institute should inform the owners of the heritage which is to be proclaimed a monument, providing them with the opportunity to give their opinion on the proclamation. The owners shall be informed by mail, or by public announcement, if such a manner is more sufficient due to the high number of people concerned, because of difficulties in contacting them, or if their addresses are simply unknown. Furthermore, the Institute shall carry out a public consultation in the event of the proclamation of a site. The public shall be informed of the forthcoming public consultation through publication of the date of consultation, the means through which material can be accessed, time limits for delivering opinions, and details of the authority accepting opinions on the matter. The notification on the consultation shall be disseminated through at least one of the news media, ten days prior to the public consultation itself at the latest. During the time before the public consultation takes place, public access to the material subject to public consultation shall be ensured. At the public consultation, the reasons for the proclamation, a draft preservation decree, and cartographic documentation shall be presented. All shall have the opportunity of giving an oral or written opinion on the proclamation. The Institute shall take a position on the opinions. The procedure for proclaiming a monument of local significance shall be conducted by the competent authority of the region or municipality. A proposal for the proclamation of a monument of local significance shall be prepared by the Institute ([http://www.arhiv.mk.gov.si/fileadmin/mk.gov.si/pageuploads/min\\_eng/legislation/CHPA.pdf](http://www.arhiv.mk.gov.si/fileadmin/mk.gov.si/pageuploads/min_eng/legislation/CHPA.pdf)).

Until recently, local inhabitants have not taken an active part in the revitalisation and conservation processes of immovable heritage (like castles, protected villages or historical towns). The experts theoretically were aware that the revitalization would succeed only through the active inclusion and participation of local residents, but in practice it was very difficult to achieve bottom-up approach. Furthermore, up until a few years ago the renovation of cultural monuments did not involve the interdisciplinary approach and just art historians and architects worked on the revitalization projects, while the representatives from other disciplines were not included: ethnologists, geographers, and sometimes also sociologists. Today the situation is much better, which is a result of new European project's demands and methods, where it is of crucial importance the formation of content of the cultural monuments as well, which should be formed together with the inhabitants, who through their



way of life and their experiences give the cultural monuments its importance in the wider social space.

### 3.4 Public institutions and support units for revitalization and heritage conservation

The core office which is responsible for preparing and implementing the protection policy for immovable, movable and living (intangible) heritage on the state level is the **Directorate for Cultural Heritage at Ministry of Culture** with its special unit Heritage Information and Documentation Centre. It is responsible for allocating subsidies from the state's budget and European structural funds, which are intended for financing programmes and projects in the field of cultural heritage.

It is also responsibility of some other administrative procedures in the field of cultural heritage protection. It implements applicable expert tasks of protecting built, archaeological and movable cultural heritage, for instance: it manages the cultural heritage register and other databases on heritage, and guarantees the development of IT system; it supervises national projects; it manages and supervises co-financing of conservation interventions on monuments and in the areas that are owned and managed by the state; it coordinates and guarantees spatial cultural heritage protection; it promotes the awareness and implements international cooperation in the field of cultural heritage. It also plays an important role in exercising pre-emptive rights in cases of sales of monuments and in the area of administrative procedures on the state level (manages the procedures of issuing permits for exporting movable cultural heritage; permits for archaeological research and permits for removing cultural heritage), since it is responsible for presenting expert opinions to the Minister of Culture prior to the issue of the permit or decision for instance for a removal of heritage. The Directorate is also responsible for training public employees in the area of immovable and movable heritage, for organizing and performing applicable expert exams and awarding expert titles.

It should be also mentioned that The Directorate for cultural heritage is responsible for managing the *central state register (inventory) of cultural heritage*. The register comprises of three interconnected parts that contain basic, protection and presentation data on immovable, movable and living (intangible) heritage (only the first and the latter are separately presented online). The purpose of the cultural heritage register is mostly to provide IT support to the implementation of heritage protection, as well as to present, research, educate and evolve the public's knowledge on heritage. The registered data can be used for managing the heritage register and documentation; implementation of public service in relation with the use, management and other heritage handling; implementation of provisions on pre-emptive right, expropriation, compensation and indemnification; and the supervision over the exercise of protection act.

The register for immovable heritage is available online at <http://rkd.situla.org/>. The registered data are public, except data on heritage owners, data on the location of archaeological sites, where there is a risk of prohibited search for archaeological remains, and other data, which would in case of disclosure endanger the existence of heritage. The heritage register was expanded by other levels in the GIS database and is connected with other databases (documentation database, database on legal protection of monuments, etc.). Since 2008, the online GIS register version has been upgraded with data on legal regimes of protection, the so called eVRD. Data on regimes are collected in a joint Manual, which has to be considered at spatial planning and interventions in the cultural heritage area.

Another very important unit for the for revitalization and heritage conservation is the **Institute of the Republic of Slovenia for the Protection of Cultural Heritage**. Its tasks are: identifying, evaluating,



and documenting cultural heritage; preparing proposals for entering heritage into the register kept by the Ministry of Culture; drawing up conservation plans and restoration projects; supervising building, research and protective undertakings and their implementation; supervising and executing archaeological surveys, and providing helpful advice to owners of cultural heritage; education and popularization. The Institute has a public authorization for issuing consents for intervening in immovable heritage, which have to be acquired by investors prior to the issue of construction or reconstruction permits, and sends the Ministry of Culture all materials for the guidelines and opinions, issued by the Ministry in the spatial planning preparation procedures.

The institute is composed of two main organisational units: The Cultural Heritage Service and the Conservation Centre. The main duties of the Cultural Heritage Service are: to identify, document, study, evaluate, interpret and promote immovable heritage and its corresponding movable and intangible heritage. Cultural Heritage Service comprises 7 Regional Offices that operate throughout the country. The Conservation Centre brings together the direct implementation and research assignments in the field of restoration and preventive archaeology. Furthermore, it manages the scientific research development of the conservation and restoration discipline. Under the auspices of the Centre for Preventive Archaeology operate the Restoration Centre, Centre for Preventive Archaeology and the Research Institute (<http://www.zvkds.si/en/about-us>).

#### **Local government units**

Slovenia does not have a regional authority level. In some areas, like taxes, building permits, work permits etc., the state administration operates on a regional level (in so-called administrative units, located in 58 regional centres).

Regional Development Agency is a national institution in charge of implementing the new regional development policy: it cooperates with regional development agencies for promoting the preparation and implementation of development programmes and projects, it assists in the processes of acquiring developmental incentives and funds, including European funds. Regional development programmes of statistical regions contain mostly large-scale planned interventions in cultural heritage, which are implemented on the basis of programmes, prepared by other line ministries.

Self-management local communities like municipality councils (or city councils in urban municipalities) that have jurisdiction for the area of cultural heritage, exercise powers on a local level. They issue decisions, which list locally significant monuments, they decide on the manner of heritage protection in spatial planning processes, they allocate financial funds for direct restoration interventions and manage cultural heritage that is owned by the municipality. City municipalities have administrative departments that exercise municipal culture policy as well as cultural heritage policy.

### **3.5 Incentives and funding mechanisms available for revitalization and heritage protection**

Slovenia has currently two political territorial levels: state and municipal. The relationship between the state and the municipalities (currently there are 212 of them) in the field of culture is regulated by the *Act on Enforcing Public Interest in the Field of Culture, 2002*.

#### **State funding**

Generally, the state finances national public institutions, public programmes of NGOs and projects that are of importance to the whole of Slovenia.



The state funds public institutions, which encompasses identification, documentation, valorisation, interpretation, and research of cultural heritage and its protection, administration, presentation, and popularisation. The state covers general material costs (stuff, maintenance costs, etc.) and finances institutional programmes (public service tasks), while municipalities can (but are not obliged), for example, provide funds for additional stuff, exhibitions, etc.

Ministry of Culture manages subsidies that are allocated from the state's budget and are intended for protecting cultural heritage. The projects of built heritage restoration and conservation can apply for state's subsidies, which are (usually) published every two years by a public tender. The process of selecting projects and allocating subsidies is implemented by the Directorate of Cultural Heritage at the Ministry of Culture, the final decision is adopted by the minister in charge of culture.

There are two types of financing of public institutions performing state public service in the area of cultural heritage: for their programme and projects.

- For institutions dealing with *immovable cultural heritage*, programme funds are intended for restoration of state- or privately-owned monuments and for implementing programmes for integrated protection of immovable cultural heritage. Project funds are available for restoration of monuments of national or local significance which are privately-owned or the property of municipalities. Special project call is published for restorations of already determined monuments due to a special law, known as the *Act on Culture Tolar*, 2003 ("tolar" being the name of national monetary unit before euro). Specifically, subsidies are intended for: (1) co-financing of the implementation of construction and crafting interventions for conserving culture-protection contents on cultural monuments; (2) (co-)financing of the implementation of restoration-conservation interventions on cultural monuments; (3) restoration of cultural heritage units with ensured financing according to the *Act on Culture Tolar*, 2003.

Following data mostly concern financing of the protection and conservation of *immovable cultural heritage*, since more funds are needed compared to interventions into movable and intangible heritage or their maintenance.

When applying for a state subsidy, the owner or legal owner of a cultural monument has to submit the restoration or presentation project. Subsidies cover up to 50% of all costs, excluding archaeological research, artwork restoration and state monuments of substantial importance; in this case, the subsidies cover 100% of all costs. The owners of cultural monuments can apply for monetary aid also at other ministries or municipalities. Municipalities usually offer subsidies from the municipal budget, which is considered as additional aid along with the granted state subsidy.

Through the Ministry of Culture, the state finances preliminary archaeological research, when private entities plan to build residences for own needs or non-profit apartments in settlements, which are at the same time archaeological sites. The state also finances preliminary archaeological research on land that is not registered as an archaeological site, if any archaeological remains are found during the construction process or other interventions, despite the fact if archaeological potential assessments have already been made on that land and have provided negative results.

*Slovenian Enterprise Fund (Slovenski podjetniški sklad)* established with the purpose of improving access to financial funds for various development-business projects of small- and medium-sized companies, also publishes tenders for state aid every year. It also enables financing of restoration interventions in existing buildings, assessed as cultural heritage.



In the EU 2007-2013 programme period, the Ministry of Culture as the holder of priority guideline of Cultural Potentials Networking within the 3rd developmental priority Connecting Natural and Cultural Potentials within the scope of the Operative Programme for Strengthening of Regional Development Potential has the possibility to draw financial funds from the European Regional Development Fund. The Ministry as a direct budget user co-finances restorations of cultural monuments and public cultural infrastructure, owned by municipalities. As the beneficiary, the Ministry finances restorations of cultural monuments and public cultural infrastructure, owned by the Republic of Slovenia.

The Ministry of Agriculture and Environment enables application for financial funds for the implementation of restoration interventions on cultural heritage and not only on cultural monuments, namely by publishing two tenders within the scope of the Rural Development Programme of the Republic of Slovenia for the period 2007-2013. Municipalities can apply for the Restoration and Development of Villages projects, while other individual owners that aim at restoring cultural heritage, building museums and eco-museums, present permanent ethnological heritage exhibitions and regulate theme paths that connect natural values and cultural heritage, can apply for the Rural Heritage Conservation and Improvement project.

### **Regional and local funding**

Self-management local communities like municipality councils (or city councils in urban municipalities) that have jurisdiction for the area of cultural heritage, exercise powers on a local level. They issue decisions, which list locally significant monuments, they decide on the manner of heritage protection in spatial planning processes, they allocate financial funds for direct restoration interventions and manage cultural heritage that is owned by the municipality. City municipalities have administrative departments that exercise municipal culture policy as well as cultural heritage policy.

The municipalities are obliged to:

- ensure, in accordance with special sector laws, the functioning of libraries, museums and galleries and look after cultural heritage in their areas and at the same time to maintain cultural monuments owned by them (the *Librarianship Act, 2001*, the *Cultural Heritage Protection Act, 2008*);
- cover other cultural needs of their citizens (amateur culture, local cultural centres, publishing, libraries, arts cinema etc.) identified by the local cultural programmes; and
- provide spaces that are intended for cultural activities in their area and upgrading their cultural infrastructure.

In absence of the regional management and financing level, state subsidies can suffice in average for only 24% of requirements of cultural monuments owners. The calculations of the Cultural Heritage Directorate show that restoration of cultural monuments or heritage due to required implementation procedures increases all costs by 30 to 40 % in comparison to “ordinary” restoration or new construction.

The costs of local authorities for the restoration and conservation of cultural heritage are not known; it is estimated that local authorities invest in conserving cultural heritage one third of the funds, received from the state budget. Local communities form special funds for the restoration of cultural monuments or heritage on their land; these funds can also be divided on the basis of public tenders.





### **Private funding and sponsors**

Rough estimations of contributions, provided by private owners for restoration interventions in the first decade of the 21st century, exceed one fourth of the state budget (other important financers are the state, municipalities, and the Roman-Catholic Church). Since there is an increasing discrepancy between the requirements of cultural monuments owners and available budget sources, it is expected (or hoped) that the percentage of private funding will increase. On the other hand, this trend is followed by a disrespect of the requirements of heritage conservation and also a consequential disrespect of protection regimes and guidelines in maintaining and restoring cultural monuments.

Data on funds of associations and the Roman-Catholic Church are not available. A rough estimation of the Church's costs for restoration works amounts to one third of the state's budget, intended for cultural heritage.

There are no sponsorships in the protection area mostly due to poor awareness on the significance of heritage and also due to the fact that companies were exempt from taxes on profit only to a total amount of 3 thousandths of their income. Only rare companies occasionally contribute building material, which they produce or market, in order to promote their sales.

Taxable persons can also exercise additional reduction of tax base to the amount that applies to 0.2% of taxable revenues as a donation for cultural purposes. According to the Income Tax Act, private taxable persons can allocate a part of their income tax (to 0.5%) for funding humanitarian and other general beneficial purposes such as cultural purposes.

### **Direct aid**

Direct aid to heritage owners is provided by the state only occasionally, and in principle for renewing the site which was affected by a natural accident. An example is state aid (also) for restoration works on the basis of an intervention Post-earthquake Reconstruction of Structures and Development Promotion in Posočje Act, which has been in force since 1998.

### **Tax relief**

The Value Added Tax Act has enabled lower costs of conservation-restoration interventions which are implemented by the Institute for the Protection of Cultural Heritage of Slovenia due to VAT exemption. Reduced VAT rate to 8.5% applies for construction, renovation and repairs of all apartments and residential and other buildings, intended for permanent residences. Unfortunately, this is not relevant even due to the fact that a building is listed as a cultural monument, because restoration of cultural monuments which are not intended for permanent residence are taxed with 20% VAT rate. According to the Civil Tax Act, the wealth tax on the possession of buildings is not paid for buildings that have been listed as cultural or historical monuments. There are also some exceptions in the Inheritance and Gift Taxation Act and Real Property Transaction Tax Act. Both Acts consider the fact that the owner of a cultural monument, which is accessible to the public or is intended for cultural activities on the basis of the agreement between this person and the Ministry of education, science, culture and sport, is a reason for tax exemption.



## 3.6 Relevant guidelines and documents on revitalization and heritage protection

The revitalization and heritage protection of cultural monuments in Slovenia is under the jurisdiction of the Institute of RS for Protection of Cultural Heritage. Its servants give all relevant guidelines for the protection and help in preparation of relevant documents.

## 3.7 Previous and current experience in revitalization and heritage conservation

In Slovenia one of the major problems for the monument protection service relates to castles and manors. Due largely to strategic considerations, Slovenia has many castles built chiefly along river valleys - the Sava, Drava, Krka, and so on - and Baroque mansions constructed in the lowlands. Since these are large architectural complexes, their renovation requires enormous funds, as well as a clear concept of future function and a vision of development (eg marketing). Many castles in Slovenia are still waiting to be restored. At present they can only be maintained, since only 20 per cent of the entire funds is available for this purpose. The restored castles and mansions serve chiefly as tourist attractions, museums and galleries. In recent years, the restoration of historical gardens and parks has also been revived ([http://www.culture.si/en/Heritage\\_preservation\\_and\\_restoration\\_in\\_Slovenia](http://www.culture.si/en/Heritage_preservation_and_restoration_in_Slovenia)).

In the following paragraphs two case studies will be presented, which include some good and bad approaches of revitalization and conservation processes in Slovenia. The presentation of the renovation problems of Štanjel and its castle is chosen from the scientific article ŠTANJEL - THE PEARL OF THE KARST? REVITALIZATION PROBLEMS IN A KARST SETTLEMENT IN SLOVENIA, which was prepared by Jasna Fakin Bajec, who is a member of ZRC SAZU team. The presentation of the castle of Ljubljana is based on internet data and articles.

### Old village Štanjel in Karst plateau and its renovation problems

Štanjel is a large village at the northeastern edge of the Karst limestone plateau, in the southwestern part of Slovenia. The village is formed by the old, medieval part of the village, which dominates Turn Hill (Upper Village) and the lower, more recent part of the village (Lower Village). It has around 304 residents. The prominent old part of the settlement is famous for its magnificent architectural and historic structures, incorporating medieval defensive walls, towers, the castle, a church and an old village core with specific architecture. Because of its exceptional historic and architectural value, the old part of Štanjel is listed as a national monument and is an important part of Slovenia's heritage. The old settlement was also proclaimed as a cultural monument in 1964 by the Institute for the Protection of Cultural Heritage of Slovenia.

In Slovenia the old part of the village was known until recently as a typical case of a Karst settlement in decline. In the second half of the 20th century it looked as though a thousand years of continuous habitation would be interrupted as a result of various factors which made living in the old part of the village difficult. For this reason there has been and continues to be a number of ongoing efforts by various institutions, supported financially and professionally by the local municipality, the state and the European Union, to revitalize and preserve this important Karst settlement through a wide range of programs and projects. The goals of the projects are to make Štanjel an economic, cultural, and tourist destination of the Karst, but one which is also a pleasant place to live, and above all to prevent the emigration of local residents, who represent the lifeblood of the village. The experts involved,



among whom many were architects, were aware that the revitalization of Štanjel would succeed only through the active inclusion of local residents in renovation and development projects, but unfortunately efforts so far have been directed only towards the preservation of building and not its contents and living infrastructure. At present, the results of different plans are visible only on paper and not in practice. For example, to this day people who live in the old village do not benefit from a municipal water supply or sewage system, or have a place to park. Because the village has a status of the national heritage monument, the renovation of residents' homes must be done in accordance with guidelines from the Institute for the Protection of Cultural Heritage of Slovenia. This adds to the costs of renovation, yet financial assistance from the state has been inadequate or residents up until now have not known how to take advantage of it. The local municipality wants Štanjel to become known as the tourist center of the Karst. But the tourist infrastructure is modest, and the visitor can observe only the naked walls of houses. Very little has been done by way of tourist entertainment. On the other hand, the local residents are very passive and do not seem to care very much about the development of their village.

The results of ethnographic and historical research showed that virtually all the experts involved in different projects, which took place in Štanjel from 1960 until 2012, agreed that quality renovation of the old core was not possible without good cooperation among residents, planners, and actors or without the permanent participation of a group of experts. However, almost all the projects were led by architects, who did too little by way of encouraging the greater participation of local residents. The executors of the projects indeed had public presentations of their findings, but only a small number of local residents were in attendance. The method of work itself for the projects carried out did not include individual meetings with local residents, such as, for example interviews, opinion surveys, and similar, that would have drawn a greater number of residents into the revitalization process. The projects were carried out more or less in offices; experts attended daily or weekly workshops, but did not spend time familiarizing with the identities and logic of the life of the community itself. It is necessary to stress that among the residents of Štanjel there were a number of differences of opinion, and that many village efforts to improve community life did not bear fruit. The local population did not feel the need for greater village solidarity and mutual association in order to pool their efforts and do something to revive the old part of the settlement or develop tourism. A relatively small number of local residents made efforts and took part in various actions to revive activities in the castle, while the majority played a largely passive role in reviving the old part or were not even interested in revitalization efforts. What is more, residents sometimes regarded one another as rivals, and did not wish their neighbors' success. According to their own accounts, during earlier historical eras the villagers lived in greater accord, since the way of life itself compelled them to cooperate (village solidarity was required to perform some heavy farm chores), but after the Second World War discord arose, especially with the expansion of the lower village, when residents of other villages came there to live. Some of these newcomers never really tried to join in and be part of the village community, or if they did, found their overtures rejected by some of the autochthonous residents.

Project planners also failed to gain an understanding of what their village meant to Štanjel residents, how they once lived and worked, how they saw their village's future and so on. The local municipality as a commissioner of the projects also failed to include other experts, who, like architects, but using the methodologies of their own fields, could have illuminated some of the problems associated with restoration.



All expert's material gained from different technical fields and project were of course necessary for the architectural renovation of the old core, but the wider professional public (among others, ethnologists and cultural anthropologists, sociologists, historians, and geographers) should be included, since through field and other types of research they would become familiar with the way of life of the people who lived there, with their interests, desires, and demands for planning and the successful realization of conservation goals. Although those involved in the projects carried out are aware that cultural, historic, and landscape values must be included in the life of the community, and that the interest of the local community in cooperating in the project must be stimulated, that the visions of the renovated buildings must be based on the preservation and marketing of heritage, none of the project executors sufficiently took into account the perspective of the persons living there. Since architecture is the most visible of human creations and in large degree co-creates the human environment, the person and the continuity of the local way of life is the main point of departure for its renovation. Moreover, ethnological research of the local way of life in modern times as well as in the past provides a basis for the appropriate renovation and revitalization of the village. It could be used to determine changes in the social and spatial structures, the specific features and values of the settlement, and adapt village tradition to modern values and a modern way of life.

And finally, at the very end, there is a thought that the old part of Štanjel, a fortified settlement, is truly the pearl of the Karst due to its historic, architectural, and aesthetic values, but unfortunately the residents of this gem of a settlement do not know how to value it, and it may perhaps require many more years, possibly a new generation, before this gem really will come back to life.

### **Ljubljana Castle - history of renovation**

The Ljubljana Castle - the symbol of Ljubljana - has undergone many changes over the centuries. Nonetheless, it has remained the symbol of the Slovenian capital and will remain so in the future. The role of the Castle has changed over the centuries as well. In 1905 Mayor Ivan Hribar bought the castle from the state for 60.200 austrian crowns, after more than ten years of discussion. Since then, it belongs to the city of Ljubljana. In the 1930s the idea of famous Slovenian architect Jože Plečnik was to build a new conical parliament to replace the castle, but he managed to make only Šance (redesigned remains of the fortifications) and the avenue. The first renovation work was carried out in 1940s according to town planner Boris Kobe.

In 1969 overall restoration works began, which led to a new orientation of the castle's functions. The recent renovation work was carried out by architects Miha Kerin, Majda Kregar, and Edo Ravnikar, which gave the castle a new steeper roof, a higher watchtower, new access, and a regulated defensive corridor around the margin of the former fortified walls, linking the renovated castle structures together. The idea was to build a cultural centre here, which would be interesting for tourists as well, for instance because of the look-out, as well as for the locals, who would be able to watch cultural events here. Today the Castle has become an **interesting tourist attraction, which is also used as a walking avenue for the locals**. Each year it has ca. 1.000.000 visitors (<http://www.ljubljanskigrad.si/en/visit-us/the-history-of-the-castle/castle-renovation/>).

Since 1988 the Municipality of Ljubljana has been carrying out continuous archaeological research at Ljubljana Castle, which confirmed the continuous settlement of the hilltop. According to the architects' estimation, approximately 80 percent of the Castle renovation works have been carried out so far, including the static rehabilitation (more detailed history of renovation see <http://www.ljubljanskigrad.si/en/visit-us/the-history-of-the-castle/castle-renovation/>).



At the end of 2006 the Municipality of Ljubljana connected the Ljubljana Castle with the historic city centre by an urban means of transport - a funicular railway. The ride up the slope of the castle hill has been included in a regular guided walking tour of the city organised by the Ljubljana Tourist Board. The lower station of the funicular railway is located at Krek Square, next to the Ljubljana Puppet Theatre and the Dome, just across from the city's open-air marketplace.

The castle offers a tourist viewing tower, a virtual museum, a chapel, and several cultural venues: Hribar's Hall, Palatium, Pentagonal Tower, Rocks Hall, Estate Hall, White and Blue Halls, Erasmus Tower, Archers' Tower and Pipers' Tower. Cultural events, such as Gustav Film's Comedy under the Stars, also take place in the castle courtyard. In addition to performing arts events, exhibition projects and film screenings (i.e. Kinodvor Cinema's Film under the Stars during the summertime), and some permanent exhibitions featuring the history of the city are displayed at Ljubljana Castle.

The Museum of Puppetry, a joint project of Ljubljana Puppet Theatre and Ljubljanski grad Public Institute, has also been set up at the castle premises. The institute organizes and conducts cultural, artistic, touristic and other events with the purpose of developing a comprehensive cultural and tourist offer. Here, the treasures of cultural heritage preservation intertwine with eclectic contemporary art by Slovenian and foreign artists. Within the framework of youth programmes, the institute conducts pedagogic and adult education projects related to the castle and its surroundings. The Ljubljana Castle institute preserves and promotes the castle's material and intangible heritage. The Virtual Castle and the Permanent Exhibition of Slovenian History stand as its two permanent museum exhibitions.

The institute plans, designs and markets a comprehensive tourist offer in the area of the Ljubljana Castle and the Castle Hill. Through the tourist information centre, the institute informs visitors on all events taking place in the area. The Ljubljana Castle operates a tramway ascending the hill into the castle, in this manner connecting the city core with the Castle Hill. The institute's programme brings together various public cultural institutions, tourist associations and other operators of cultural and tourist events in the public interest (<http://www.ljubljanskigrad.si/en/about-us/calling-card>).

## 4. PPP in revitalization and heritage protection - case studies

### 4.1. Case study description

PPP model have been most notably utilized in the infrastructure and other investment projects in public interest and not in culture field. For heritage building, however, the potentials of PPP have not yet been fully exploited. There are different advantages for introducing the PPP model in revitalization and heritage conservation as limited number of private investors, absence of foreign investors in Slovenia due to market limitations and political risk, long-lasting, sometimes complicated procedures, lack of public sector knowledge, experiences and skills in all phases of PPP project cycle, limited knowledge and experiences of consulting companies and costs overrun. However, there is one case study which could be presented from the field of PPP for preserving natural and cultural heritage and was also highlighted by OECD Environmental performance review from 2012.



Sečovlje Soline is a well-known natural and cultural heritage site that has been designated as a landscape park, Ramsar site, Natura 222 area, and a cultural monument of national importance. Covering about 650 ha along the Croatian border, in the extreme southwestern part of Slovenia, it is one of the last remaining salt works on the Adriatic coast.

The special character of Sečovlje Salina's fauna and flora is due to conditions created by the salt industry active in the area from the 14<sup>th</sup> century until the 1960s. The main objectives of the protected area are conservation of its wetland ecological character and its economic and cultural values. These objectives are implemented by maintain the saline ecosystem and its diverse habitats (e.g. mud flats, salt meadows, salt pools) and preserving cultural heritage (e.g. levees with stone walls, steps and sluice gates, as well as traditional salt-making techniques).

The Sečovlje Salina Landscape Park is the first state-designated protected area in Slovenia for which a private company (Soline) has been given management responsibility. Soline is owned by the country's largest mobile phone company, Telecom. A government decree specifies the conditions under which Soline, which was created for the purpose, must operate the concession, including preparation of an annual management and financial plan requiring government approval. Ownership of the protected area remains with the government, including responsibility for all investments in the park's infrastructure made during the 20-years period of the concession. The government contributes about 20% of the protected areas annual operating cost. Soline and Telecom also contribute, while income generated by the park itself in the form of entrance fees and the sale of salt and related products will be a further source of funds. Two of the park's conservation projects have received EU LIFE funding.

For the government, these arrangements have the advantage of low management costs for one of its protected areas. Moreover, the park has increased local employment opportunities: the number of employees in the company alone grew from fewer than 15 to 86 during 2002-2011. The arrangement allows the company to project a positive image of environmental responsibility. Overall, public awareness of the significance of protecting the Sečovlje Salina Landscape park has increased. Although problems exist (e.g. ownership issues), there is a continuing dialogue between the government and the company in order to address them (OECD 2012: 79).

Furthermore, some pilot cases are emerging in other cultural fields as well, like digitalisation (e.g. national archive, national library). Most of these cases are based on the role of the private partner as an investor providing much needed technological infrastructure and the role of the public partner providing access to the material. Business models are mostly based, or are expected to be based, on joint exploitation of digitalised content. <http://www.culturalpolicies.net/web/slovenia.php?aid=71>.



## 5. Conclusions and perspectives for future revitalization projects using PPP schemes

According to the presented data and case studies, the PPP model is highly necessary during the periods of fiscal restriction and when resources for the culture are limited, but needs for the investments on revitalization and conservation of cultural monuments are high. Thus, the situation requests for the new uses of innovative approaches, including PPP.

Notwithstanding, the implementation of PPP in revitalization and conservation of heritage in Slovenia will enable: using the knowledge and experience from the private sector; foster project implementation; reduce burden on public budgets and mobilise private funds in culture activities; risk-sharing between public and private partners, transparency on revitalization processes. However, until private companies will not see economic, social, and cultural potentials in culture and its heritage elements, all efforts will not be fruitful. Thus, the implementation of PPP model urgently need:

- to raise awareness among businessmen that culture has different types of values, among other things also economic value and the companies can potentially achieve a range of important business benefits by investing in culture, including improved public image and reputation, increased profitability, access to new markets, sustainability, higher employee morale, market positioning, and improved investor relations;
- As culture heritage does not provide profit in short-term, the introduction of the PPP model should include special agreements, based on which an efficient and remunerative set of policy instruments and financial (fiscal) mechanisms (such as special credit lines, property tax deferment, fiscal incentives, loans, grants, waiver of development fees) can be developed and implemented to produce optimal economic returns and preserve and protect the non-market value of cultural heritage sites (Throsby 2012: 45-72; Trupiano 2005: 337-343);
- In the processes of preservation and valorization of cultural heritage, financial mechanisms should stimulate collaboration of not only big companies, but also small and medium enterprises, because their involvement could prove very sustainable in terms of invigorating a local/regional identity and building a regional image of small and medium enterprises, etc. In this framework, special workshops and trainings for local entrepreneurs, associations and inhabitants should be recommended to make them link tradition with innovation;
- The preparation of detailed PPP design demand an preparation of adequate studies before launching the tender and to avoid cost overruns;
- To avoid commercial risk and unpleasant situations the public heritage institutions should start to procure smaller projects to gain more experiences with PPP. In this way, it will be also easier to attract local investors;
- As PPP model are not widespread known in Slovenia, especially in culture field, more attention should be paid on raise awareness of the benefits that PPP model provide.