

# COUNTRY STUDIES CONCERNING STATE AID



**Slovenia**  
**Justice and Environment 2024**

# CONTENTS

Contents.....	2
Background .....	3
Questions .....	4
Is administrative state aid case law available in your country? .....	4
Is judicial state aid case law available in your country? .....	4
In judicial cases, who had legal standing according to the state aid case law?.....	4
Is there any example where an NGO wanted to have legal standing in state aid related court procedure?.....	4
Are there environmental issues addressed in state aid cases in your country? .....	4
If yes, what are they?.....	4
Has there been a preliminary ruling case initiated by your country's judiciary in state aid cases? .....	4
If yes, what was the judgment of the EU Court? .....	4
Has there been an infringement case against your country at the Commission? .....	4
Did it go to the EU Court? .....	4
If yes, what was the judgment of the EU Court? .....	4
Has is changed anything in your respective case law? .....	4

## Background

In March 2021, the Aarhus Convention Compliance Committee (ACCC) found in favor of J&E member organization ÖKOBÜRO and its member, GLOBAL 2000, in the communication they had brought, namely [ACCC/C/2015/128 \(EU\)](#). Specifically, the Committee [found that](#):

- (a) *By failing to provide access to administrative or judicial procedures for members of the public to challenge decisions on State aid measures taken by the European Commission under article 108 (2) TFEU that contravene European Union law relating to the environment, the Party concerned fails to comply with article 9 (3) of the Convention;*
- (b) *By failing to provide any procedure under article 9 (3) of the Convention through which members of the public are able to challenge decisions on State aid measures taken by the European Commission under article 108 (2) TFEU that contravene European Union law relating to the environment, the Party concerned also fails to provide an adequate and effective remedy regarding such decisions as required by article 9 (4) of the Convention.*

Accordingly, the Committee made the following recommendation:

*The Committee, pursuant to paragraph 35 of the annex to decision I/7, recommends that the Meeting of the Parties, pursuant to paragraph 37 (b) of that annex, recommends that the Party concerned take the necessary legislative, regulatory and other measures to ensure that the Aarhus Regulation is amended, or new European Union legislation is adopted, to clearly provide members of the public with access to administrative or judicial procedures to challenge decisions on State aid measures taken by the European Commission under article 108 (2) TFEU that contravene European Union law relating to the environment, in accordance with article 9 (3) and (4) of the Convention.*

## Questions

### **IS ADMINISTRATIVE STATE AID CASE LAW AVAILABLE IN YOUR COUNTRY?**

It is not available.

### **IS JUDICIAL STATE AID CASE LAW AVAILABLE IN YOUR COUNTRY?**

It is not available.

### **IN JUDICIAL CASES, WHO HAD LEGAL STANDING ACCORDING TO THE STATE AID CASE LAW?**

### **IS THERE ANY EXAMPLE WHERE AN NGO WANTED TO HAVE LEGAL STANDING IN STATE AID RELATED COURT PROCEDURE?**

### **ARE THERE ENVIRONMENTAL ISSUES ADDRESSED IN STATE AID CASES IN YOUR COUNTRY?**

### **IF YES, WHAT ARE THEY?**

### **HAS THERE BEEN A PRELIMINARY RULING CASE INITIATED BY YOUR COUNTRY'S JUDICIARY IN STATE AID CASES?**

### **IF YES, WHAT WAS THE JUDGMENT OF THE EU COURT?**

### **HAS THERE BEEN AN INFRINGEMENT CASE AGAINST YOUR COUNTRY AT THE COMMISSION?**

There were no recent state aid related infringements against Slovenia (counting from 2021).

### **DID IT GO TO THE EU COURT?**

### **IF YES, WHAT WAS THE JUDGMENT OF THE EU COURT?**

### **HAS IS CHANGED ANYTHING IN YOUR RESPECTIVE CASE LAW?**

## Contact information

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