

Marjan BEŽAN in Jože DEKLEVA

Mesto Ljubljana v tranziciji: med trgom in planom

The City of Ljubljana in Transition: between the Market and the Plan

Uvod

S pojmom tranzicija razumemo skupino reform, s katerimi naj bi v nekdanjih socialističnih državah v razmeroma kratkem času vzpostavili institucionalne razmere za uveljavitev tržnega gospodarstva, pluralne demokracije in pravne države. Tako naj bi tudi na Vzhodu dosegli blaginjo, ki jo danes uživa večina prebivalcev Zahoda.

Stranskih vplivov, ki jih bodo morda povzročili reformni procesi, ne moremo napovedati. Kako bodo sprejeli porast socialne in teritorialne diferenciacije prebivalci, ki so desetletja živeli v razmerah kolektivizma in egalitarizma?

Upoštevati moramo, da je to, kar danes v nekdanjih socialističnih državah poskušamo doseči z zakoni, na Zahodu nastajalo več stoletij. Za našo razpravo o mestu v tranziciji je posebej pomembno dejstvo, da so se institucije tržnega gospodarstva in pluralne demokracije najprej uveljavile v svobodnih mestih Zahodne Evrope, šele v obdobju 1789-1848 pa so se razširile na celotno ozemlje nastajajočih držav. Zаметki institucij tržnega gospodarstva in pluralne demokracije so pravzaprav obstajali v gospodarskem in političnem življenju mest, institucije pa so imele svojo osnovo v urbanih civilnih družbah, ki so se kasneje uveljavile na celotnem nacionalnem teritoriju.

Vzhod poskuša s tranzicijo dohiteti Zahod po drugi poti. Z institucionalnimi reformami na nacionalni ravni

Introduction

The notion of transition suggests a group of reforms which are supposed to establish institutional conditions for the putting into force of a market economy, political pluralism and the rule of law in former socialist countries over a relatively short period. This is supposed to ensure that the prosperity currently enjoyed by the majority of the population of Western Europe can also be achieved in the East.

The side effects of this process of reforms cannot be predicted. How will a population which has lived under conditions of collectivism and egalitarianism react to the increase of social and territorial differentiation?

It ought to be pointed out that what the former socialist countries are attempting to achieve by means of institutional reforms took several centuries in the West. The fact that the institutions of a market economy and political pluralism only began to make their presence felt in the free cities of Western Europe and then between 1789 and 1848 spread across the entire territory of the emerging nations is of particular significance for our debate on the city in transition. The roots of a market economy and political pluralism actually existed in the economic and political life of cities, while the institutions themselves had their own basis in urban civil societies which later began to have an influence across the country as a whole.

Stanovanja Stanovanjsko gospodarstvo Stanovanjska gradnja Tržno gospodarstvo Slovenija Ljubljana

Za mesta v tranziciji je značilno, da se ne usmerjajo več s planskimi mehanizmi in tudi tržni mehanizmi ne delujejo. V državah v tranziciji mesta niso relevanten družbeni prostor. V mestu Ljubljana se nadaljujejo stihijski procesi stanovanjske gradnje iz preteklosti.

Housing Housing economy Housing construction Market economy Slovenia Ljubljana

The cities in transition are not regulated any more by planning mechanism while the market mechanism is not working yet. For societies in transition the city space is not relevant. In the city of Ljubljana non regulated processes of housing development are continuing.

si prizadeva predvsem za to, da bi ustvaril razmere za tržno gospodarstvo. Vzhod verjetno predvideva, da bo to zadoščalo za razvoj urbane civilne družbe, ki je pogoj za pluralno demokracijo in pravno državo, vendar se na Vzhodu ni nikoli razvila v takšni obliki, kot se je to zgodilo na Zahodu.

Ekonomisti, ki so zasnovali tranzicijske reforme, v svoje modele težko vgrajujejo tudi socialne in prostorske vidike tranzicije. Zato predpostavljajo, da bo gospodarska reforma ustvarila materialno osnovo za morebitno kasnejše obvladovanje socialnih in teritorialnih konfliktov s prerazporejanjem dohodka. To se sicer sliši razumno, toda velja pomisliti tudi na možnost, da lahko socialna in teritorialna diferenciacija preseže prag obvladljivosti, še preden bodo oblikovane predvidene materialne osnove. Ali lahko to v nekaterih vzhodnoevropskih državah povzroči take razmere za tržno ekonomijo, kot so jo v nekaterih latinskoameriških državah uspešno uresničile vojaške hunte?

S tem kratkim uvodom smo poskušali problematizirati vprašanje o ustreznosti oženja tranzicijskih reform, ki bi se nanašale izključno na gospodarske reforme. S primerom mesta Ljubljane bomo utemeljili potrebo po reformi sistema gospodarjenja s prostorom, kajti med pogoje za razvoj tržnega gospodarstva spadajo tudi nujne spremembe pri gospodarjenju z mestnim prostorom. Na tem področju v Sloveniji zaostajamo, zato se je tudi mesto Ljubljana znašlo v položaju, ko je Ustavno sodišče – na pobudo posameznikov – odpravilo nekdanje mehanizme "planskega usmerjanja prostorskega razvoja", hkrati pa država ni vzpostavila možnosti za razvoj trga zemljišč in za razvoj državnih intervencij. Nadaljevanje takih razmer bo povzročilo mestu gospodarsko škodo, ker se ni sposobno ustrezno odzvati na domače ali tuje investicijske pobude, hkrati pa tudi ni zmožno ustvariti osnovnih možnosti za razvoj ustrezne stanovanjske oskrbe.

Mednarodne institucije Slovenijo sicer uvrščajo v skupino maloštevilnih

With transition, the East is attempting to catch up with the West in a different way. With the institutional reforms at the national level, its primary goal is the creation of suitable conditions for a market economy. The East probably hopes that this will suffice for the development of an urban civil society, which is a precondition for political pluralism and the rule of law but which was never developed in the East to the same extent as in the West.

Economists who establish the basis for transitional reforms find it difficult to incorporate social and spatial aspects of transition into their models. They expect economic reform to create a material basis for possible later regulation of social and territorial conflicts by means of income redistribution. This may sound reasonable but the possibility should be considered that social and territorial differentiation could cross the threshold of manageability before a material basis can be created. Or will it result in the establishment of conditions for a market economy in the East European countries such as those successfully introduced by military regimes in Latin America?

This short introduction has attempted to question the appropriateness of narrowing down transitional reforms to the extent that they only affect the economy. In the case of Ljubljana, we will argue the need for reforms to the system of space management, since the development of a market economy also requires urgent changes to the management of the city area. Slovenia is lagging behind in this sphere. Because of this, Ljubljana has found itself in a situation where the Constitutional Court has, on the proposal of individuals, done away with the former mechanisms for "planned urban development" but at the same time the state has failed to create the conditions for the development of a real-estate market and state interventions. If these conditions were to continue they would cause great economic damage to the city, since it is not capable of reacting suitably to local and foreign investment offers and cannot create the basic

držav v tranziciji, ki podedovano gospodarstvo uspešno prilagajajo povpraševanju na zahodnih trgih in tako nadomeščajo izgubljene trge v republikah nekdanje Jugoslavije.

V našem prispevku bomo poskušali prikazati, kako so tranzicijske reforme enostransko spremenile možnosti za upravljanje s prostorom v mestu Ljubljana.

possibilities for the development of suitable housing on its own.

International institutions rank Slovenia among the few countries in transition whose inherited economy is successfully adjusting to demands in Western markets, and in this way replacing the lost markets in the republics of the former Yugoslavia.

Stanovanjsko področje

Leta 1992 je bil sprejet stanovanjski zakon, ki je omogočil stanovalcem v družbenih najemnih stanovanjih

This paper attempts to present how transitional reforms have unilaterally changed the possibilities for space management in the city of Ljubljana.

Slika 1: Razporeditev razpršene stanovanjske gradnje leta 1964
Figure 1: Distribution of dispersed urbanisation in 1964



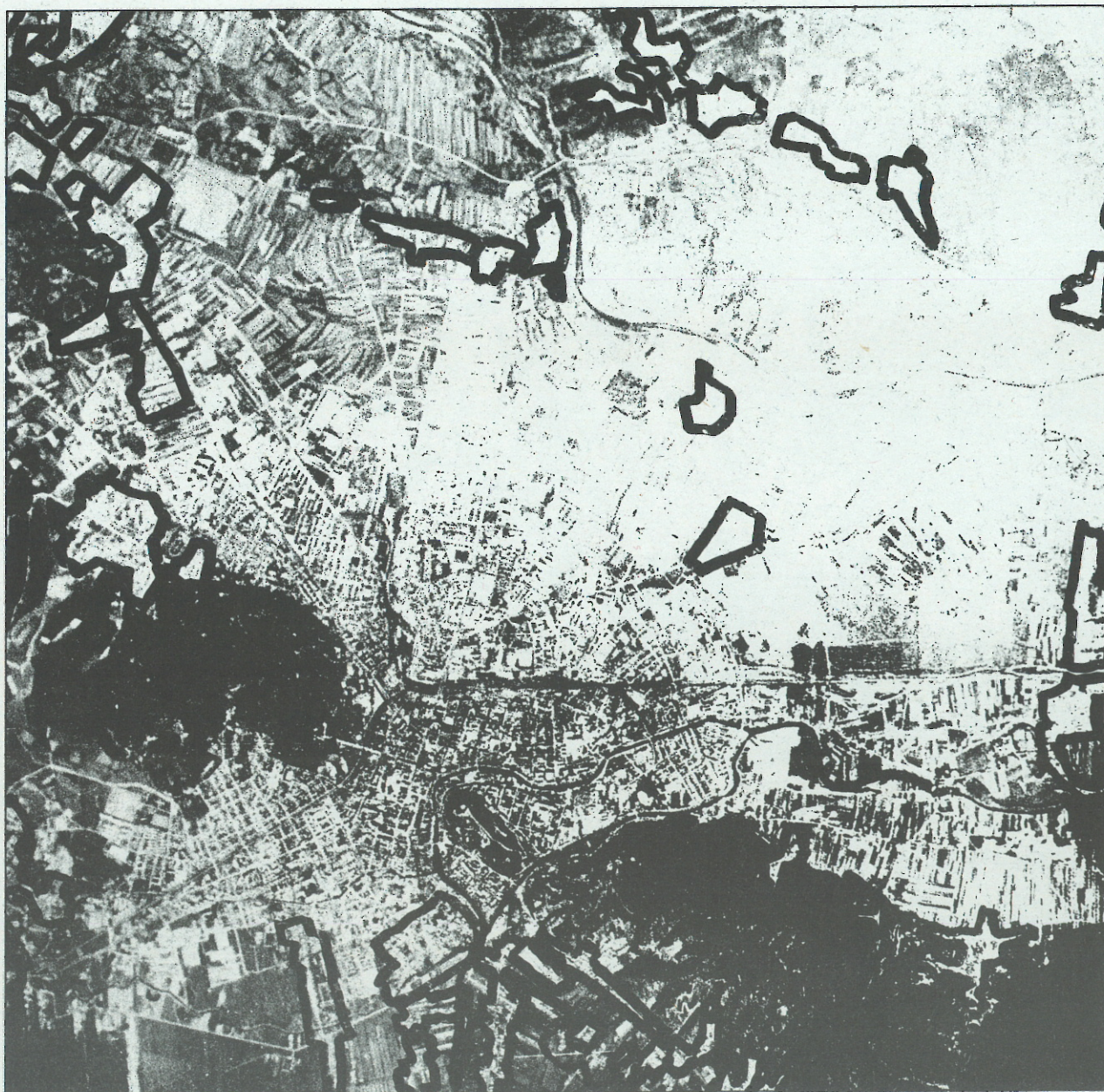
odkup stanovanja po izredno ugodnih pogojih. Posledica tega zakona je veliko število stanovanj v zasebni lasti (90 %) in majhno število najemnih stanovanj (samo 10 %). Namen zakona je bil, da bi bodoči lastniki prevzeli stroške za vzdrževanje stavb, z izkupičkom od prodaje pa naj bi se pričel nov ciklus stanovanjske gradnje. Leta 1990 je bilo namreč odpravljeno plačevanje stanovanjskega prispevka, ki so ga od svojih bruto dohodkov plačevali vsi zaposleni, z njim pa so pospeševali družbeno stanovanjsko gradnjo. Toda pričakovanja se žal niso izpolnila. Del izkupička od prodanih stanovanj so podjetja porabila za osebne

Housing

In 1992 the Law on Housing was passed, facilitating the purchase of state-owned rented apartments under extremely favourable conditions by their inhabitants. As a direct result of this law, a large number of apartments are now privately owned (90 %), while the number of rented apartments is low (only 10 %). The law was designed to get the future owners to take on the cost of building maintenance and to allow the state to use the profit from the sales to finance a new cycle of apartment construction. This became necessary after the abolishing, in

Slika 2: Razporeditev razpršene stanovanjske gradnje leta 1974

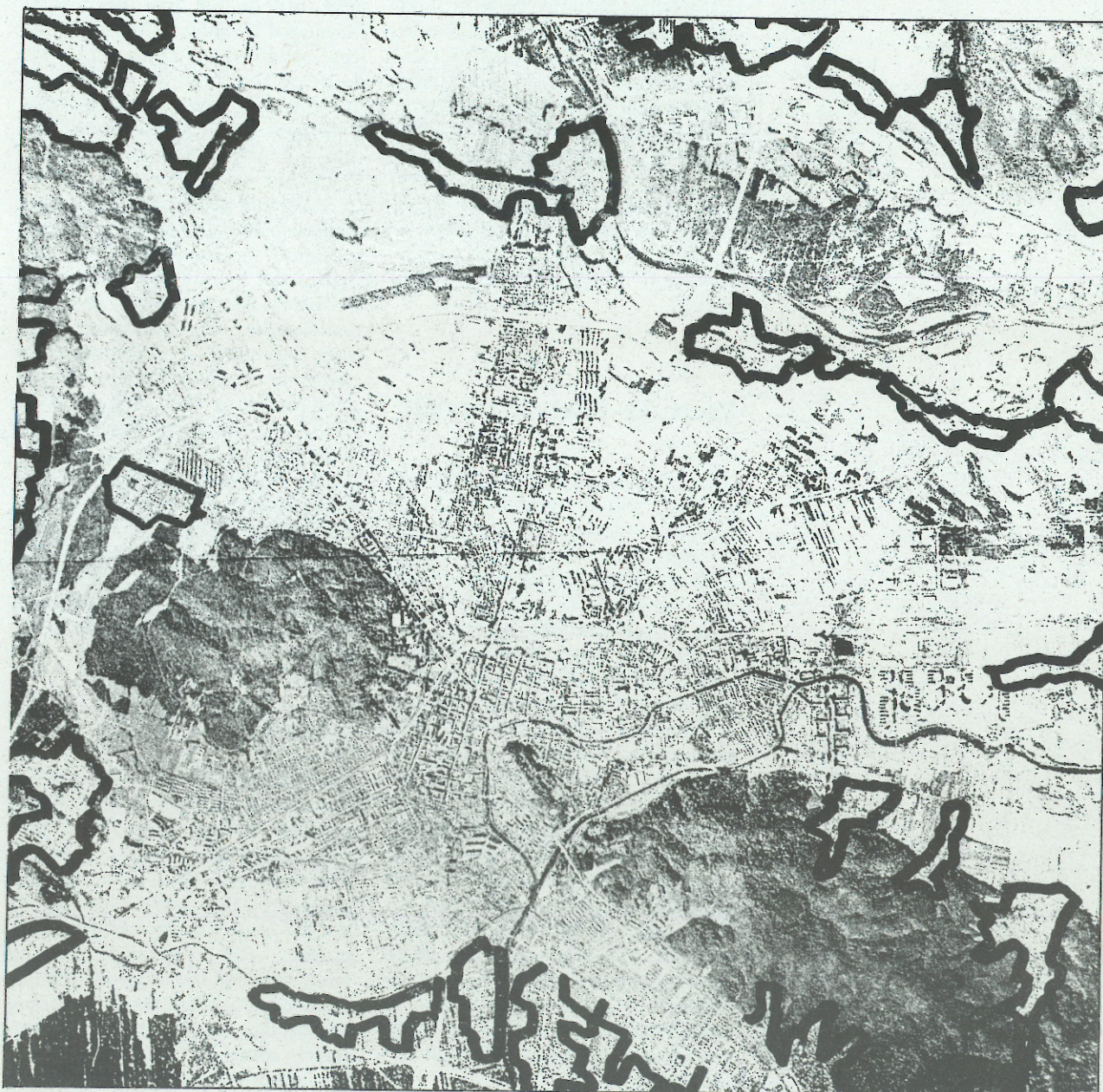
Figure 2: Distribution of dispersed urbanisation in 1974



dohodke, ostanek pa ni zadoščal za pričetek novega ciklusa stanovanjske gradnje. S tem so bile prizadete zlasti mlajše družine in druge, dohodkovno šibke skupine prebivalcev, ki ne morejo pridobiti socialnih stanovanj, za katera so pristojne lokalne skupnosti, pa tudi ne neprofitnih stanovanj, ki bi jih morala s svojimi sredstvi sofinancirati država, občine pa pripraviti ustrezna zemljišča. Edina stanovanjska gradnja, ki še obstaja, je seveda komercialna stanovanjska gradnja velikih gradbenih podjetij, ki pa je namenjena sorazmerno majhnemu delu najbolj premožnih prebivalcev. Zato se v Sloveniji nadaljuje oblika

1990, of the system whereby the payment of the housing contribution from the gross salaries of all employed people was used to finance the construction of state-owned rented apartments. But expectations were not met. A portion of the profit from the sold apartments was used by companies to pay salaries, and the remainder was insufficient to finance a new construction cycle. The effects of this have been primarily felt by young families and other disadvantaged population groups who are unable either to acquire homes through social welfare (housing which comes under the jurisdiction of the competent

Slika 3: Razporeditev razpršene stanovanjske gradnje leta 1994
Figure 3: Distribution of dispersed urbanisation in 1994



individualne stanovanjske gradnje v lastni režiji, ki je že od začetka 60. let edina možnost za rešitev stanovanjskega vprašanja za dobro polovico prebivalcev. Samograditelji se pri tem kar dobro znajdejo, gradijo sicer na lastnem zemljišču, vendar tako, da državi ne plačajo stroškov za komunalno opremljanje. Obseg samogradnje je tolikšen, da je tako prejšnja kot sedanja država povsem nemočna. (Razporeditev razpršene stanovanjske gradnje v letih 1964, 1974 in 1994 je prikazana na slikah 1, 2 in 3). Kdaj pa kdaj politika sicer sprejme različne interventne zakone, s katerimi poskuša ustvariti vtis, da pravna država vendarle deluje, dejansko pa se procesi nedovoljene gradnje nadaljujejo še intenzivneje. Pojav presega že vsako razumno mejo, saj je poleg tega še nabit z različnimi političnimi predznaki, zlasti težko pa ga bo odpraviti zaradi že ustaljenih vrednot prebivalstva, ki so se oblikovale zaradi dolgoletnega dopuščanja tega dogajanja: graditi brez gradbene dovoljenja je postalo za večino Slovencev skoraj del naravnega prava.

Področje stavbnih zemljišč

Republiška ustava iz leta 1991 zagotavlja pravno varnost zasebne lastnine, zato smo pričakovali, da bo tem načelom sledil tudi konsistenten sistem gospodarjenja z zemljišči, vendar se to na žalost ni zgodilo. Tako je področje pridobivanja in priprave stavbnih zemljišč, ki je osnova za uresničevanje prostorskih načrtov, doživelo v zadnjih letih nekaj povsem naključnih in bistvenih sprememb. Najprej so morale občine vsa stavbna zemljišča, za katera še niso imele izdelanih izvedbenih načrtov, prenesti v državni sklad kmetijskih zemljišč, pa čeprav so bila ta zemljišča že deloma ali pa v celoti komunalno opremljena. To je močno skrčilo sklad stavbnih zemljišč, na katerih bi lokalne skupnosti lahko danes gradile socialna in neprofitna stanovanja. Povečal pa se je sklad zemljišč, ki jih bodo lahko uporabili v denacionalizacijskih postopkih.

local community), or non-profit apartments which are supposed to be co-financed by the state, with the land being provided by the municipalities. The only remaining option for large-scale construction is of course commercial construction by large companies, and this is only an option for the relatively small, wealthiest section of the population. Thus in Slovenia, a form of individual home construction using private means has been the only possible solution to the housing problem for more than half the population since the early 1960s. Those building their own homes are quite resourceful: they build on their own land, but do not pay the cost of municipal facilities to the state. Illegal construction has been so widespread that both the former and present state have been powerless. (Distribution of dispersed urbanisation in 1964, 1974 and 1994 is illustrated on figures 1, 2 and 3). Occasionally politicians pass intervention laws, by which they attempt to create the impression that the rule of law actually functions. But in reality the processes of illegal construction are becoming even more intensive. The phenomenon has gone beyond all reasonable limits and it is also charged with political overtones. It will be especially difficult to eradicate because of the firmly-rooted values of the population, which have formed as a result of the long years in which the state has turned a blind eye to these activities. Construction without building permits has almost become a part of natural law for most Slovenes.

Urban Land

The republic's Constitution of 1991 ensures the legal security of private property. It was expected that these principles would result in a consistent system of urban land management, but this was unfortunately not the case. The procedure for acquiring and preparing building land, which is the basis for the implementation of a physical planning policy, has undergone some completely coincidental but fundamental changes over the last few years.

V letu 1992 je Ustavno sodišče na pobudo posameznikov razveljavilo nekatere določbe v zakonih, ki so občinam omogočale pridobivanje zemljišč za stanovanjsko gradnjo. Razveljavili so pravico, s katero je lahko občina razlastila lastnike zemljišč na območju, predvidenem za stanovanjsko gradnjo, ukinili pa so tudi predkupno pravico občine, s katero je bil prodajalec zavezan, da zemljišče najprej ponudi v odkup občini. Navedene instrumente zemljiške politike bi moral zakonodajalec praviloma nadomestiti, vendar se to do sedaj še ni zgodilo. To pa bistveno omejuje možnosti, ki jih ima občina pri pridobivanju zemljišč. V mestu so ustanovili različna podjetja, ki prekupčujejo s stavbnimi zemljišči, vendar je mesto ob tem popolnoma nemočno, saj ne more izvajati nobenega nadzora, nima pa tudi možnosti, da bi v to dogajanje poseglo. Prišlo je do pojava klasičnih zemljiških špekulacij, pri katerih poskušajo različne politične stranke v procesu sprejemanja planskih aktov doseči zazidljivost določenih zemljišč, zemljiškim lastnikom pa tako omogočajo, da kmetijska zemljišča prodajajo po desetkrat višjih cenah.

Mesto ima namreč v rokah le razmeroma šibek instrument, in sicer planske akte oz. upravno regulativo. Delovanje teh instrumentov je še posebej vprašljivo, ker skoraj pri polovici gradenj ni upoštevana upravna regulativa. Mesto ima le vlogo spremljevalca dogodkov, svoje vloge pa ne more odigrati niti tam, kjer bi bilo to nujno, na primer pri pridobivanju in opremljanju stavbnih zemljišč za socialno in neprofitno stanovanjsko gradnjo. Mesto trenutno razpolaga s sorazmerno majhnim skladom stavbnih zemljišč, ki jih je nekdanj odkupilo, zmanjšali so se tudi javni prihodki, hkrati pa ni več pravnih možnosti za pridobivanje večjih zemljiških kompleksov. Mesto Ljubljana ima sicer poseben sklad za urejanje stavbnih zemljišč, ki pa po zakonu ne more odkupiti kmetijskih zemljišč (kar počno seveda zasebni prekupčevalci), temveč le zemljišča, ki so z izvedbenim dokumentom določena za gradnjo. Sklad je tako pri preprečevanju zemljiških špekulacij povsem nemočen.

In the first place, the municipalities were required to transfer all building land for which no local plans existed to the agricultural land fund at the state level, even though the land was already partly – or in some cases fully – provided with municipal utilities. This has considerably reduced available building land, which could otherwise now be used by local communities to build social and non-profit houses. On the other hand the amount of land which will be utilised in denationalisation procedures has been increased.

In 1992 the Constitutional Court, on the proposal of individuals, annulled certain provisions which allowed municipalities to acquire land for house construction. These included the obligation of people selling land to offer it first to the municipality (communal pre-emption right). These instruments of the land policy ought to have been replaced by legislation, but this has not yet happened. Thus the possibilities for a municipality to acquire land are considerably reduced. A number of companies which deal in the reselling of building land have been set up in the city, but city authorities have no power over them, since they cannot implement any form of supervision and thus are left with no opportunity for intervention. Old-fashioned land speculation is occurring, in which different political parties are attempting, during the process of the passing of planning acts, to achieve the categorisation of certain land lots for construction and in this way enable the proprietors to sell agricultural land at ten times the cost. The city has only relatively weak powers, in the shape of the planning acts or administrative regulations. Their effectiveness, however, is questionable: almost half of all construction projects proceed without taking administrative regulations into consideration. The city is forced to assume the role of an observer and cannot intercede even in urgent cases, such as in the acquisition and preparation of building land for social and non-profit houses. The city at present has at its disposal a relatively small reserve of previously-purchased building land. Public re-

Denacionalizacija

Slovenija je med državami v tranziciji tudi edina, ki je sprejela zakonsko obvezo, da bo nekdanjim lastnikom praviloma vračala nekmetijska zemljišča in nepremičnine v naravi. To so izredno zapleteni postopki, ki vplivajo na pripravo stavbnih zemljišč za večje naložbe. Med potekom postopka ni namreč na stavbnih zemljiščih, ki so predmet postopka, dovoljena nobena dejavnost. Na primer zaradi nezaključenega denacionalizacijskega procesa se že pet let odlaša z gradnjo hotela Lux na Kongresnem trgu (projekt prof. Borisa Podrecca je prikazan na sliki 4).

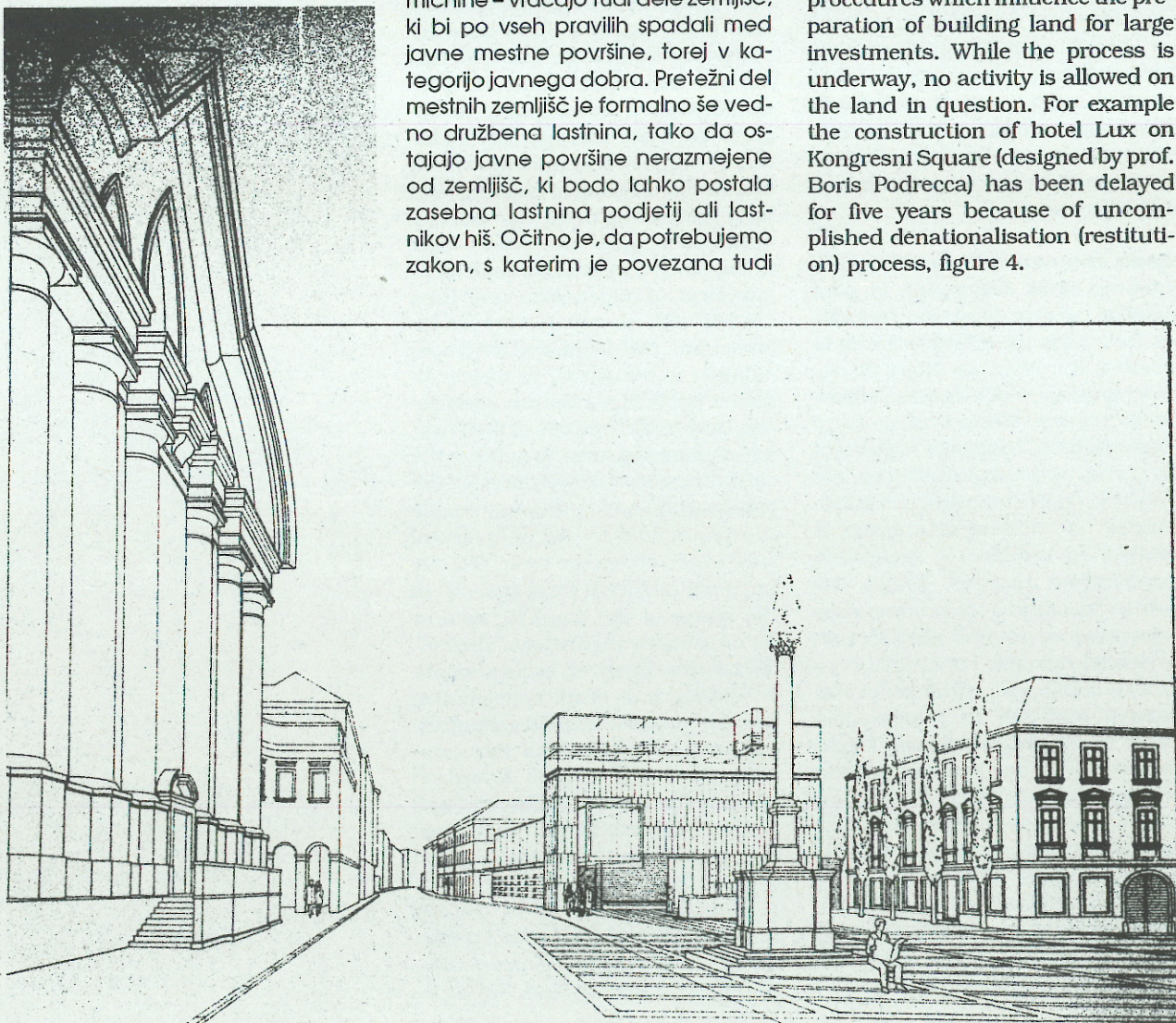
Slika 4: Projekt hotela Lux na Kongresnem trgu (prof. Boris Podrecca)
Figure 4: The projekt of hotel Lux on Kongresni Square (Prof. Boris Podrecca)

Niso tudi še prejeli zakona, ki bi operacionaliziral ustavni pojem javno dobro, zato se dogaja, da nekdanjim lastnikom – poleg nepremičnine – vračajo tudi dele zemljišč, ki bi po vseh pravilih spadali med javne mestne površine, torej v kategorijo javnega dobra. Pretežni del mestnih zemljišč je formalno še vedno družbena lastnina, tako da ostajajo javne površine nerazmejene od zemljišč, ki bodo lahko postala zasebna lastnina podjetij ali lastnikov hiš. Očitno je, da potrebujemo zakon, s katerim je povezana tudi

venue has also been reduced and at the same time there exist no real opportunities for the acquisition of larger building sites. The city of Ljubljana has a special administration for the development of building land. However, it is prevented by law from purchasing agricultural land (since this is done by private dealers) and may only purchase land designated for building by an implementation document. The administration is therefore completely powerless to prevent land speculation.

Denationalisation

Slovenia is the only country in transition to have adopted a law which guarantees the return in kind of non-agricultural land and real estate to its former owners. This process involves extremely complicated procedures which influence the preparation of building land for large investments. While the process is underway, no activity is allowed on the land in question. For example the construction of hotel Lux on Kongresni Square (designed by prof. Boris Podrecca) has been delayed for five years because of uncompleted denationalisation (restitution) process, figure 4.



ustrezna politika pri pripravi zemljišč za razvoj mesta, pomanjkljivo pa je tudi poznavanje lastništva, ki določa tudi odgovornosti pri vzdrževanju mestnih zemljišč, npr. mestnih ulic, trgov in mestnih zelenih površin različnih kategorij. Pojavljajo se težko rešljiva vprašanja o pristojnosti in odgovornosti, o lastništvu mestnih javnih objektov (npr. med državo in mestom), zadeve rešujemo z zapletenimi pravnimi postopki in dokazovanji, vse to pa je ovira za komercialne naložbe.

Registracija lastništva

Posebno vprašanje je tudi evidenca o lastništvu nad mestnimi zemljišči. V obdobju, ko so bila mestna zemljišča družbena lastnina, pa tudi sedaj – v obdobju, ko pravzaprav premoženjski davki ne obstajajo, niso sprotno urejali ne zemljiškega katastra ne zemljiške knjige. Nihče ne ve točno, koliko nepremičnin ni registriranih, pa tudi ne tega, koliko časa bo potrebno, da bi odpravili tako stanje. Kolegi geodeti ocenjujejo, da je zaostanek v zvezi z zemljiško knjigo tolikšen, da bo za ureditev stanja potrebno več desetletij. Lahko se samo vprašamo, kako se namerava Slovenija vključevati v Evropsko unijo, kjer se bo srečala s pogojem svobodne cirkulacije kapitala, kar pomeni seveda tudi svobodni promet z nepremičninami, ko pa so evidence v takem stanju, kot smo omenili zgoraj, tako da država kot občine nimajo nedvoumnega vpogleda na razmere v zvezi z zemljišči in zgradbami, ki so javna last.

Lahko bi navedli še nekaj dogodkov, ki so značilni za razmere v Ljubljani, na primer:

- Po odhodu jugoslovanske armade iz Slovenije so postali vsi vojaški objekti, mnogi med njimi so na ključnih lokacijah, last Ministrstva za obrambo. V Ljubljani je ministrstvo nekatera zemljišča prepustilo velikim gradbenim podjetjem, ki so v zameno za zemljišča zgradila za ministrstvo novo upravno poslopje. Mesto je bilo v zvezi s tem odgovorno le za to, da dodatno sprejme urbanistične akte, s katerimi so že sprejete odločitve le formalno potrdili.

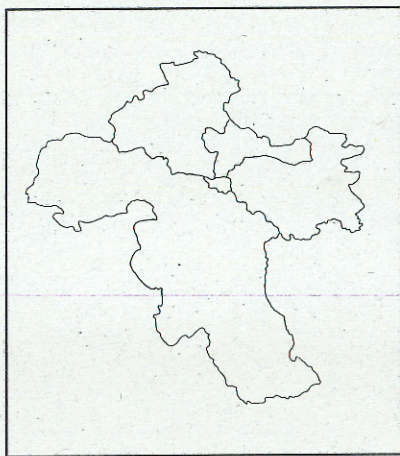
A law has still not been passed which puts into operation the constitutional notion of the public good. This accounts for the current state of affairs where not only real estate but also land which by rights should belong to public city areas, and therefore to the category of the public good, is being returned to its former owners. Most city land is still officially in public ownership; public areas are therefore not separated from land which could become the private property of companies or owners of buildings. Obviously a law is needed and a related appropriate policy for the preparation of land for urban development. There is also a shortage of knowledge about ownership – which determines the responsibility for the maintenance of urban land such as city streets, squares and parks of various categories. Difficult questions arise relating to competencies and responsibilities, the ownership of urban public premises (For example: do they belong to the state or to the city?). These problems are settled by complicated legal procedures and attestation, which is an obstacle to commercial investment.

Registration of Ownership

One of the most important issues involves the register of ownership of city land. During the period of public ownership of all city land neither the land cadastre nor the land register were kept up to date. This is still true in the current period, where property taxes do not actually exist. Nobody knows how much real estate is unregistered or how long it will take to remedy the situation. Our colleagues in geodesy estimate that the land register is so hopelessly out-of-date that it might take several decades to put it in order. We can only wonder how Slovenia intends to integrate with the European Union, for which the free circulation of capital (and therefore also free trade in real estate) is a precondition, if the present state of the registers means that neither the state nor the municipalities are able to get a clear picture of the state of affairs as regards publicly-owned land.

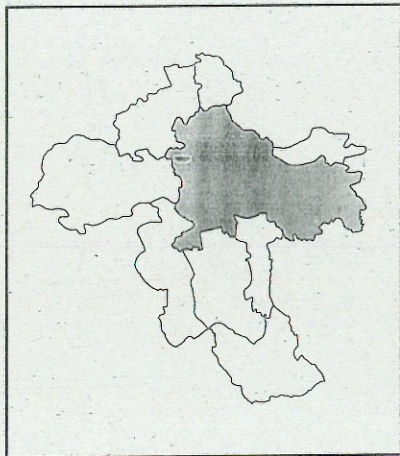
Slika 5: Politično teritorialna členitev na 5 občin pred reformo lokalne samouprave

Figure 5: Politics – teritorial division into five communes before the local selfgovernment



Slika 6: Politično teritorialna členitev na 9 manjših občin po reformi lokalne samouprave. Z rastrom je označen teritorij nove mestne občine Ljubljana

Figure 6: Politics – teritorial division into nine smaller communes. The territory of the city commune of Ljubljana is indicated in grey.



• Ljubljana je postala glavno mesto samostojne države, s tem pa so se povečale potrebe po zemljiščih za upravne dejavnosti. Vendar država nima skupnega programa za reševanje novih prostorskih potreb. Ministrstva tekmujejo med seboj za stavbe v mestnem središču in tako zasedajo dragocene mestne površine, na katerih pa opravljajo dejavnosti, ki ne zahtevajo osebnih stikov in bi lahko potekale na manj centralnih lokacijah, kar bi prispevalo tudi k prometni razbremenitvi mestnega središča.

• Finančna sredstva nekdanjih samostojnih podjetij za komunalne storitve so združena na Holdingu, ki morebitni dobiček samostojno razporeja. V primeru izgube pa mora mesto zagotoviti sredstva iz proračuna. Mogoče bi taka organizacijska oblika lahko povečala učinkovitost finančnega poslovanja, vsekakor pa je mesto hkrati izgubilo nekaj možnosti usmerjanja prostorskega razvoja s koordiniranim infrastrukturnim opremljanjem območij. Odločitve, ki so s podjetniškega vidika lahko zanimive, niso nujno tudi v skladu z javnimi interesi mesta na področju razvoja infrastrukture.

• Nekdanjih pet mestnih občin, ki so sicer zelo težko usklajevale interese na ravni mesta, je sedaj razdeljenih na devet manjših občin, ki bodo uporabljale mestne javne storitve, na svojem območju pa razvijale dohodkovno donosnejše dejavnosti. Problemov tovrstnih slepih potnikov (free rider problem) v mestni regiji ne bo možno reševati, dokler se občine ne bodo sporazumele, da del izvornih pristojnosti prenesejo na pokrajino. To pa vsekakor ne bo enostaven proces. Slika 5 in 6 prikazujeta politično teritorialno členitev Ljubljane pred in po reformi lokalne samouprave. Slika 7 prikazuje dejansko stanje poselitve v Sloveniji, naselja v ljubljanski urbani regiji so prerasla okvir malih občin.

Ni si težko predstavljati, kako se počutijo strokovnjaki, ki se ukvarjajo z načrtovanjem mesta, na pre-

The following are a few additional events characteristic of conditions in Ljubljana:

• After the withdrawal of the Yugoslav Army from Slovenia all military premises, many of which are in key locations, became the property of the Ministry of Defence. In Ljubljana, the Ministry handed over some of the land to large companies which in turn constructed a new administrative building for the Ministry. The city's only responsibility was the passing of additional urban planning acts which merely served to officially confirm already-made decisions.

• Ljubljana became the capital of an independent state and as a result there was an enormous increase in the demand for land for administrative buildings. However the state does not have a comprehensive programme for the meeting of new spatial needs. Ministries compete for buildings in the city centre and in this way occupy valuable urban areas for activities which do not demand personal contact and which could therefore be performed in less central locations – and thus help relieve the burden on the city centre.

• The financial resources of previously independent providers of municipal services are now joined in a holding company which allocates profits as it chooses. The city is obliged, should a loss be recorded, to provide funds from the budget. This form of organisation may increase the efficiency of financial transactions, but at the same time the city loses a number of possibilities for orientating spatial development with a co-ordinated infrastructure development programme. Decisions which may be attractive from the commercial point of view do not necessarily accord with the public interest with regard to infrastructure development in the city.

• The city used to consist of five municipalities. These five found it extremely difficult to harmonise interests at the city level. Now

hodu iz obdobja družbene lastnine, ko lastnina ni bila pomemben atribut, v obdobje, ko edino zasebnik lahko poskrbi za uveljavitev svoje lastnine, mesto pa je pri varovanju javne lastnine skorajda nemočno.

Zaključek

Razmere, ki smo jih na kratko opisali, lahko različno pojasnimo:

1. Lahko se zadovoljimo z ugotovitvijo, da nam primanjkuje izkušenj in znanja o regulaciji tržnega gospodarstva, in to še posebej glede gospodarjenja s prostorom. V zvezi s tem sta v preteklosti obstajala dva sistema: formalni, po katerem je država vsa zemljišča, ki so jih potrebovala gradbena podjetja, pridobila od kmetov z razlastitvami, in neformalni, po katerem so posamezniki od kmetov na "sivem trgu" kupovali zemljišča in gradili enodružinske hiše, ne da bi pri tem upoštevali plane, ki jih je sprejemala država za potrebe formalnega, to je družbenega sektorja. Danes se srečujemo s povsem novimi pro-

they are divided into nine smaller municipalities which will in future make use of public services and develop profitable activities in their respective areas. The free rider problem will be impossible to solve in the city region unless the municipalities agree to transfer a part of their original competencies to the region. But this will certainly be no simple process. Politico – territorial division of Ljubljana area before and after the local selfgovernment reform is presented on figure 5 and 6. The figure 7 illustrates the actual territorial development of settlement in Slovenia. In the Ljubljana urban region the urbanisation pattern does not coincide with the boundaries of small communes.

It is not difficult to imagine how city planning experts must feel during the transition from the era of public ownership, when property was an insignificant attribute, to an era when only the proprietor has access to property, and the city is meanwhile almost powerless to protect public property.

Slika 7: Dejansko stanje poselitve v Sloveniji

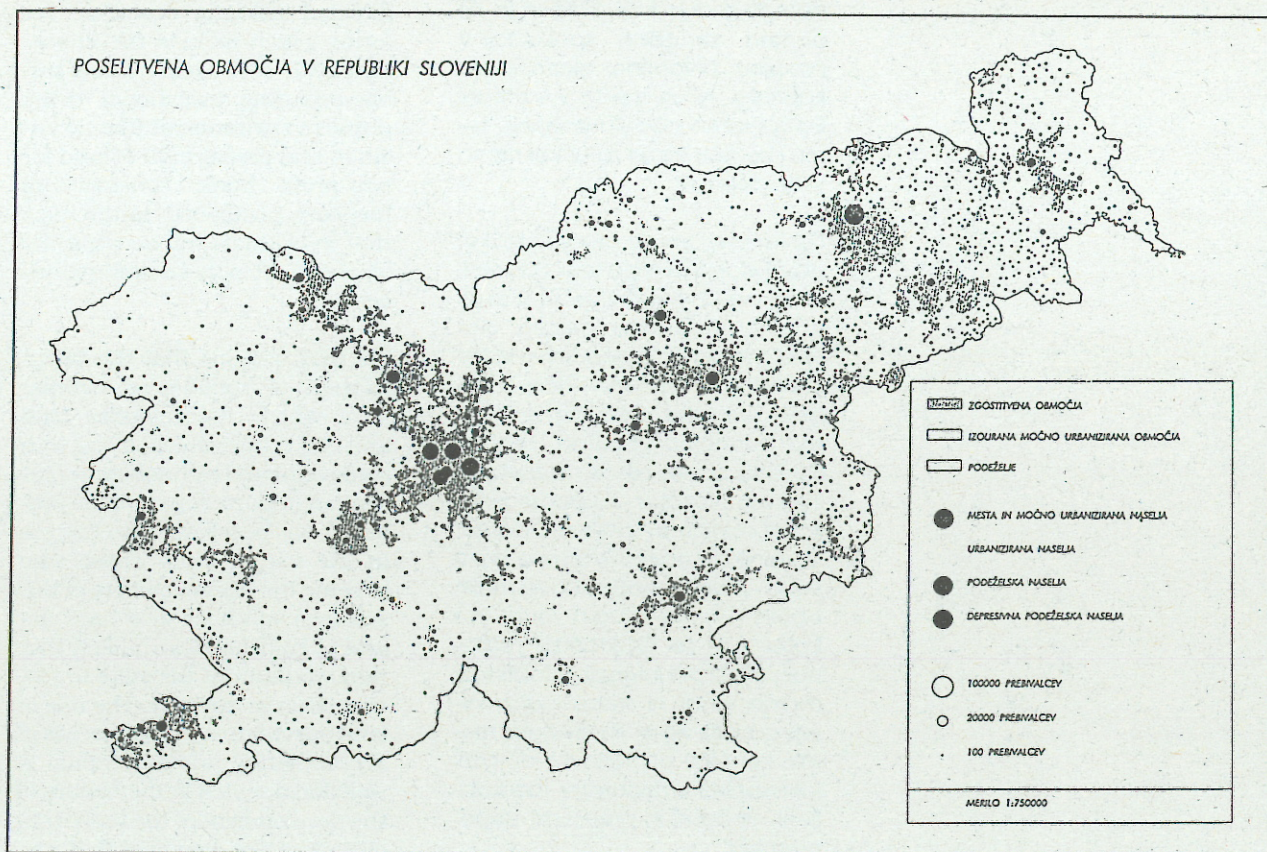
Figure 7: Actual territorial development of settlement in Slovenia

Vir

dr. Marjan Ravbar, Zasnova poselitve v Sloveniji, Inštitut za geografijo Univerze v Ljubljani, oktober 1994

Source

dr. Marjan Ravbar, The concept of settlement development in Slovenia, Institute for geography at Ljubljana University, october 1994



blemi, ki zahtevajo izkušnje in znanja, ki jih imamo trenutno v Sloveniji zelo malo.

2. Ugotovimo lahko, da je vsa pozornost politike usmerjena v gospodarske reforme, med katerimi je pomembno tudi zmanjšanje javne porabe. Zato odlaša z vsemi nalogami, kot je na primer neprofitna stanovanjska gradnja, ki bi zahtevala povečanje javne porabe. Naložbe v prostor (pridobivanje in opremljanje zemljišč za neprofitno stanovanjsko gradnjo) pa natiho prelaga na boljše čase, oziroma upa, da bodo posamezniki opravili tisto, kar država v takih okoliščinah ne more.
3. Predpostavimo lahko, da bodo privatizaciji gospodarskih podjetij, ki vključuje tudi zemljišča in nepremičnine (ki so – poleg zasfarele tehnologije – pomembnejši del premoženja), sledile tudi spremembe rabe zemljišč. Tisti, ki postajajo zasebni lastniki podjetij, bodo kasneje razpolagali tudi z zemljišči, vendar si verjetno ne želijo, da bi jih država pri tem kakorkoli omejevala. Iz zgodovine razvoja industrijskega mesta nam je znano tudi, kakšen je bil pomen zemljiških špekulacij v procesu prvobitne akumulacije kapitala. Ali se mesta v Vzhodni Evropi lahko docela izognejo temu procesu samo zato, ker nismo v 19. stoletju?
4. Lahko izhajamo iz predpostavke, da se vlada ukvarja le s problemi, ki so na dnevnem redu zaradi pritiskov interesnih skupin. Slovenija mora v gospodarstvu in kar zadeva javne finance doseči pogoje Evropske unije, če se ji želi tudi formalno približati. Toda v Sloveniji danes nihče ne zastopa interesov lokalnih skupnosti pred zakonodajno in izvršilno oblastjo. Slovenija je edina evropska država, ki – poleg množice novih malih občin – nima drugih ravni, na katerih bi se strukturirali regionalni in lokalni interesi. V takih razmerah vladi ni treba odgovarjati na pritiske ki jih izvajajo mesta, ker so v primerjavi z drugimi interesnimi strukturami razdrobljeni, občasni in preprosto nepomembni.

Conclusion

The conditions described above suggest various possible conclusions:

1. We could be content with the conclusion that we are inexperienced in the regulation of a market economy, particularly with regard to space management. Two systems existed for this in the past: the official system, by which the state acquired the land needed by construction companies from farmers, through nationalisation and expropriation; and the unofficial system, which saw individuals purchasing land from farmers on the "grey market" and building family homes without taking into account the plans adopted by the state for the needs of the official (public) sector. The present situation presents a completely new set of problems. Solving them requires experience and knowledge, of which there is very little in Slovenia at the moment.
2. We could conclude that the attention of the politicians is entirely directed towards economic reforms which include the important issue of the reduction of public spending. Investment in the physical environment (the acquisition and preparation of land for non-profit home construction) has been postponed, in the hope that individuals will do what the state cannot in these circumstances.
3. We may assume that the privatisation of commercial companies, which also includes land and real estate (which, along with some outdated technology, represent an important part of the property), will be followed by changes in the use of land. Those who become the private owners of businesses will later also have access to land, and it is unlikely that they would want the state to restrict them in any way. The role of land speculation in the process of accumulating primary capital is well documented in the history of the development of the industrial city. Does the mere fact that we

Resnica je nekje vmes. Mi pa lahko ugotavljamo le dejstvo, da v Ljubljani z mestnim prostorom ne gospodarimo več na osnovi plana, od katerega so ostali samo še cilji, kajti vse inštrumente zemljiške politike, ki so pomembni za njeno uresničevanje, je Ustavno sodišče na pobudo državljanov odpravilo, Državnemu zboru pa Vlada še ni predložila novih predlogov. To pomeni za mesto težko ocenljivo materialno škodo. Z mestnim prostorom v Ljubljani tudi ne gospodarimo na osnovi trga, ker niso podani vsi formalni pogoji za razmejitev javnih površin od zasebnih, v zvezi z lastništvom ni vzpostavljena nujna transparentnost, država pa nima inštrumentov za odpravljanje nepopolnosti trga mestnih zemljišč. Smo torej v položaju, v katerem vse razrešujemo po pravilih, ki bi morala veljati samo za izjeme.

Vsekakor zaradi takih razmer v naših mestih verjetno ne spadamo med uspešne države v tranziciji, če bi tudi to bil za Evropsko unijo relevanten kriterij.

Tako kot so se mesta v Zahodni Evropi s pomočjo nedvoumne podpore Evropske unije povezala v različna omrežja, ki posamičnemu mestu omogočajo hiter dostop do znanja in tehnologij, ki so potrebne za razreševanje problemov v postindustrialnih mestih, bi se tudi mesta v Vzhodni in Srednji Evropi v tranziciji morala povezati v omrežja, ki bi jim omogočala, da se hitreje prilagodijo novim razmeram in se nanje učinkoviteje odzovejo. Mesto Ljubljana je pripravljeno, da bi pri tej pobudi sodelovalo.

Marjan Bežan, dipl. inž. arh., načelnik oddelka za urbanizem Mestne občine Ljubljana

Jože Dekleva, dipl. inž. arh., strokovni svetnik, Urbanistični inštitut Republike Slovenije

Opomba

Referat je bil predstavljen na mednarodni delavnici "... im Angesicht des Unterschieds ..." 11. novembra 1995 na Dunaju, ki jo je organiziral EuropaForum z Dunaja.

are no longer living in the 19th century mean that cities in transition can side-step this process?

4. We may also assume that the government only tackles problems which are on the agenda as a result of pressure from interest groups. Slovenia must meet the requirements of the European Union both in the economy and with regard to public finances if it hopes to fulfil the membership criteria. But in the present-day Slovenia nobody represents the interests of local communities in the legislative and executive authorities. Slovenia is the only European country which has no forum (other than a high number of small municipalities) where regional and local interests can be articulated. This means that the government is not forced to bow to pressure from cities. Compared to other interest groups, the demands of cities are neither constant nor concentrated nor of any great significance.

The truth probably lies somewhere in between. But the only definite conclusion is that the urban environment in Ljubljana is no longer managed on the basis of a plan. Only its goals remain, since all the instruments of land policy which were important for the plan's implementation were abolished by the Constitutional Court following a proposal from the citizens. Meanwhile, the Government has not yet presented new proposals to the National Assembly. This represents a degree of material damage to the city which is difficult to assess. The urban environment in Ljubljana is not managed on the basis of market principles, since not all the proper conditions for the separation of public areas from private have been created. The necessary transparency of ownership has still not been achieved and the state has no instruments with which to remedy the deficiencies in the urban land market. Basically, we are in a situation where everything is solved by means of regulations which should only be applied in exceptional cases.

Without a doubt the situation in our cities would not rank us among the most successful countries in transition if this were a relevant criterion for the European Union.

In the same way that cities in Western Europe, assisted by European Union, have established networks which allow fast access to the knowledge and technologies needed for the tackling of problems in post-industrial cities, the cities of Eastern and Central Europe in transition should establish networks to facilitate the faster adjustment to new conditions and a more efficient response. The city of Ljubljana is prepared to participate in this initiative.

Marjan Bežan, Head of the Department for City Planning of the City of Ljubljana
Jože Dekleva, adviser, Town Planning Institute of the Republic of Slovenia

Note

The paper was presented at the international workshop "... im Angesicht des Unterschieds ..." which took place on 11 November 1995 in Vienna and was organised by EuropaForum of Vienna.

Zoran VITOROVIČ

Informacija o pripravah na konferenco Habitat II v Sloveniji

Information about Preparations in Slovenia for the HABITAT II Conference

Generalna skupščina Organizacije združenih narodov sklicuje od 3. – 14. junija 1996 v Istanbulu, Turčija, drugo svetovno konferenco o človekovem bivalnem okolju – mestih in naseljih (UN Conference on Human Settlements), imenovano tudi **Habitat II**. Od prve konference, **Habitat I**, ki je bila leta 1976 v Vancouveru v Kanadi, je minilo že dvajset let. **Habitat II** bo tako zadnja velika konferenca OZN v tem tisočletju.

Konferenca naj bi spodbudila usklajeno dejavnost vseh držav za preprečitev nenehnega slabšanja življenjskih razmer ljudi v urbaniziranem svetu. Leta 2000 bo živela v mestih že polovica svetovnega prebivalstva, druga polovica prebivalcev, ki bo živela na podeželju, pa bo ekonomsko vse bolj odvisna od proizvodnje in storitev v mestih. Razvoj posameznih držav bo vse bolj odvisen od stopnje razvitosti njihovih mest. Toda prebivalstvo v mnogih mestih in urbanih naseljih narašča tako hitro, da so mesta resno ogrožena zaradi prenaseljenosti, slabih bivalnih in delovnih razmer, neustrezne infrastrukture, neurejenih socialnih razmer in onesnaženja okolja. Ker gre na splošno za najobsežnejše migracije v človeški zgodovini, ki so usmerjene predvsem k urbaniziranim območjem, postajajo mesta vse bolj ogrožena in prostor najbolj usodnih in resnih novodobnih srečanj in spopadov.

Prednostna naloga vseh držav na pragu 21. stoletja je trajno uravnoteženje razvoja mest in podeželja.

The United Nations General Assembly is organising the second UN Conference on Human Settlements, also referred to as **Habitat II**, to be held in Istanbul, Turkey from 3 – 14 June 1996. Twenty years have past since the first conference, **Habitat I** was held in Vancouver, Canada, in 1976. **Habitat II** will thus be the last major UN conference in this century.

The aim of the conference is to promote the co-ordinated action of all countries in an effort to prevent the continued worsening of living standards of populations in the urbanised world. In the year 2000, half the world population will be living in cities while the other half, which will be living in rural areas will increasingly depend on urban production and services. The development of individual countries will increasingly depend on the level of development of their cities.

The population of many cities and urban settlements is growing so rapidly, that the cities are faced with serious problems of overcrowding, bad living and working conditions, inadequate infrastructure, improper social welfare and environmental pollution. Generally speaking we are experiencing the most extensive migrations in human history, particularly towards urban areas. As a result, cities are becoming increasingly vulnerable and are turning into places where the most fatal and most serious modern encounters and conflicts take place.