



# Environmental Governance in Latvia: Good Governance Framing and Implementation Review

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<http://doi.org/10.29227/IM-2024-01-68>

Submission date: 12.4.2023 | Review date: 2.5.2023

## Abstract

*Environmental governance implementation at all levels starting from EU up to local level need to have necessary capacity and whole set of governance instruments to ensure that the governance process reaches planned outcomes. The primary aim of the environmental governance assessment in Latvia is to review the implementation of environmental governance at the national level, but considering importance of municipal level as well. The initial part of this study was also part of the European Commission project, realized in the all EU Member States and then were studied several good governance characteristics as transparency, accountability, access to justice, participation, effectiveness and efficiency, and others. There were done all related document studies and additional selected interviews with key experts in the field and representing both governance levels, national and local. The continuation studies done kept similar approaches, however aiming at qualitative updating of environmental governance situation overview, according to the various substantial environmental and administrative-territorial and other changes which were taking place in the meantime in Latvia. Also there were additional studies performed, especially, stressing the importance of municipal environmental governance. Researchers used data and document studies, as well as consultations (express interviews) with related environmental experts/practitioners of different governance levels in the country. There are various environmental governance instruments at national level, having planned impact on local level governance, but local municipalities, as legal entities in the field of public law, first of all rely on regulatory enactments which define in detail the functions, rights and duties of local governments. The legislative framework is exhaustive and detailed, but it is fragmented in relation to the environment protection. Coordination mechanisms between local, regional, and national levels are complicated. The development of infrastructure at national level is mainly linked to existing standards, regulations and procedures for construction, exploitation, etc., as well as the distribution of available EU funds and monitoring and control of use. The financial-economic framework at national level defines the source of municipal finances – real estate tax, population income tax, natural resources tax, but there are yet limited financial mechanisms for local governments of municipalities to stimulate business development in their territory, promote sustainable forms of business, promote the use of renewable energy sources (e.g. wind parks). As regards the institutional and administrative framework and the framework for communication process and its complementary instruments, there are only separate restrictions imposed by regulatory enactments, leaving the local government level with a relatively large freedom of choice, but within their administrative capacities and financial resources available. Effective mechanisms to enable members of the public to make complaints about environmental problems are in place, and for those complaints to be properly addressed, are an important part of environmental compliance assurance. They also reinforce public confidence in environmental laws. Environmental governance in general in Latvia is well enough framed and developed in all governance levels – national, regional, local and grass-root level.*

*Keywords: environmental governance, good governance framing, implementation review, Latvia*

## Introduction

Latvia were ranked second in the 2012 Environmental Performance Index. However, after changes in the methodology, Latvia has significantly dropped in the ranking. In the 2018 Environmental Performance Index Latvia's score is 66.12 and ranks 37 out of 180. The poorest performance is in the section of the tree cover loss, which is the result of intensive forestry [1]. This study has been initially based on the research project on environmental governance assessment in Latvia, being produced in 2019 [2] as part of a project financed by the European Commission entitled: "Development of an assessment framework on environmental governance in the EU Member States" [3]. The project was designed to assist the Commission in the production of its Member States Environmental Implementation Review (EIR) in 2019 [4], since in the first EIR in 2017 were identified limited management progress found by national, regional and local authorities towards the development of environmental policy and its compliance assurance in the countries, also in Latvia at its national level first of all.

The project assigned primary aim of such environmental governance assessment as to review the implementation of environmental governance, stressing legislation instruments and policy making, in each Member State and worked out the following environmental governance definition: "An inclusive system of actors, institutions and norms that establishes responsibility and accountability, and builds trust and capacity to cooperate in policymaking, decision-making, implementation and enforcement, in the field of environment" [3].

High quality living environment and environmental protection as a precondition for such a living environment is a priority for Latvia and, accordingly, for the national and regional policy and also policies of local municipalities. The implementation of policy priorities at all levels requires appropriate tools whose availability and level of use are determined also by actual current problems in each individual specific location, so environmental management solutions are different for different municipalities throughout Latvia. Such different approaches make optimal use of available resources, however, make it difficult to access information on environmental quality and environmental management for individuals and legal entities that have not gone into detail in a structural analysis of each particular municipality, and make cooperation between municipalities difficult to address common environmental problems.

The formal setting of the environmental governance system in Latvian municipalities is optional, and local governments are free to choose which components should be introduced in a specific location in order to address specific needs and problems. Nor does it determine what the enforcement body needs to be in place to introduce it. As a result of the administratively territorial reform following the local government elections in 2021, there are now 43 local administrative territories in Latvia instead of the previous 119 municipalities. The reform has resulted in more area, more population, more administrative capacities and increased diversity of environmental problems. Local government expenditures on environmental issues increase, but there is a possibility for optimal use of the common infrastructure following the merger of municipalities, increasing investment opportunities, such as energy efficiency improvement and the extension of the public service network. In this case, the introduction of an environmental management system will contribute to the achievement of the objectives set out in the National Development Plan, Regional Development Plans, and local government Development Programmes and in the Sustainable Development Strategies: living, family, development, growth, work, recreation, competitiveness, harmonious, people-friendly area, active communities, an integrated society, democratic, open self-government, careful use of values of culture.

### **Methodology**

As for the initial phase of current study during the EU project there was recognized necessity to study in each country the environmental governance effectiveness and efficiency, compliance assurance and accountability, participation, transparency, and access to the justice – these good governance components (or governance dimensions [3]) were chosen to form the initial assessment frame of environmental governance [3]. The assessments in all Member States were prepared by commissioned national researchers [2] and their work was based on publicly available data and information sources, before the assessments became as partial background material for EIR in 2019 on governance overview for each country report.

The continuation studies done in 2022-2023 kept similar the content-wise approaches as the Commission project, as well as basic evaluation results, however aiming at qualitative updating of environmental governance situation overview, according to the various substantial changes which were taking place in the meantime in Latvia. Particularly, there is to be mentioned, the territorial-administrative reform (formed 43 municipalities instead of 119) initiating serious changes in municipal environmental governance instrumentation, also subsequently changing the boundaries for planning regions in the country (planning regions are not the administrative territorial divisions, having no elected public representatives). Also, the new law on Local authorities was elaborated and approved in 2022. Serious institutional changes took place also at national governance level, since from 01.01.2023. there was established new/additional ministry in the Cabinet of Ministers – the Ministry of Climate and Energy (MoCE), established by taking over two energy policy structural units from the Ministry of Economics and the Climate Change Department from the Ministry of Environmental Protection and Regional Development (MoEPRD).

Also there were additional studies performed and related chapters and governance components assigned, especially, stressing the importance of municipal environmental governance. Researchers used data and document studies, as well as consultations (express interviews) with related environmental experts/practitioners of different governance levels in the country. Additional research framework applied was based on three complementary governances' dimensions' principle [5], including environmental governance content dimension (socio-ecological systems approach), governance stakeholders dimension (all stakeholder segments involvement and participation approach) and governance instruments dimension (all six complementary instruments groupings approach).

### **Context and Characteristics of Environment Governance**

There are many environment governance instruments provided by environmental governance at the national level, a brief summary is in the chapters below. Local governments, as entities in the field of public law, may rely solely on regulatory enactments which define in detail the functions, rights and duties of local governments. The legislative framework is exhaustive and detailed, but it is too fragmented in relation to environmental protection. In terms of the planning framework, documents at the national level are detached from the local level. There are set ambitious targets for which implementation mechanisms and financing (amount of waste disposed, CO2 reduction, etc.) are not clearly identified. The financial-economic framework at the national level defines the source of municipal finances – real estate tax, population income tax, natural resources tax, but there is no financial mechanism for local governments of municipalities to stimulate business development in their territory, promote sustainable forms of business, promote the use of renewable energy sources (e.g. wind parks). As regards the institutional and administrative framework and the framework of communications, there are separate restrictions imposed by regulatory enactments (e.g. the need for public consultations in certain cases, restrictions on the handling of municipal property, etc.), leaving the local government level with a relatively large freedom of choice within the financial resources available for activities [5].

#### **Governance Context**

This chapter provides general overview of the institutional framework for environmental governance as well as describing the role of civil society as an important stakeholder in the governance process. The main environmental governance institutions at national, regional, and local levels are in charge of: policy development, implementation, enforcement. Those involved in implementing environmental legislation at the EU, national, regional and local levels need to have the knowledge, tools and capacity to ensure that the legislation and the governance of the enforcement process bring about the intended benefits [6].

The Ministry of Environmental Protection and Regional Development (MoEPRD) is the central executive institution in Latvia responsible for implementing policy in three areas - environment protection, regional development and information and communication technologies. There are many departments at the MoEPRD, but not all of them are related to environmental

protection. Most important in this respect are the Environmental Protection Department, Nature Protection Department, Climate Change Department (no gone to the new Ministry of Climate and Energy (MoCE)), and Coordination Department. MoEPRD also incorporates a number of other institutions with specific functions in the above-mentioned areas: State Environmental Service (SES), State Environment Bureau (SEB), Nature Conservation Agency (NCA), Natural History Museum of Latvia, State Regional Development Agency, state limited liability company "Latvian Environment, Geology and Meteorology Centre", state company "Latvian Environmental Investment Fund" [7]. MoEPRD combines both functions: environmental protection and regional development, which includes implementation and assessment of regional policy and supervision of the territorial development planning process, which makes it easier for the MoEPRD to deal with environmental governance on the local level. The main coordination mechanisms are different consultative committees organised by the MoEPRD where representatives from the association of the local municipalities are usually invited.

Administrative capacity includes environmental inspectorates, police, customs, prosecution services and audit bodies, numbers of staff employed in environmental administrations; one-stop shop mechanisms are used to make services more accessible and efficient. Employment in the MoEPRD and its subsidiary institutions has been stable - a little bit above 900 people, but in 2014 as part of the reform to decrease government MoEPRD experienced a significant cut in employment. In all the institutions there is a large staff turnover as salaries in the public sector are lower than in the private. However, salaries in the MoEPRD are comparatively high. The State Regional Development Agency (a subsidiary institution of the MoEPRD) has developed a One-stop-shop concept for Latvia. According to this Concept, all the ministries should include their services in the public portal. As a part of this webpage, unified customer service centres of the state and local governments have been established. Submissions from Latvia.lv are accepted by all the regional offices of SES and NCA. Latvija.lv also has a separate section on EIA. Businesses can also submit their reports to the Latvian Environment, Geology and Meteorology Centre and access several services such as pollution permits. All local municipalities have developed a One-stop-shop concept accommodated to their individual features, and the most of services are available in digital form.

The MoEPRD drafts a multi-annual environmental policy plan. The latest Environmental Policy Guidelines cover the period from 2021 to 2027 (approved by Cabinet Order No. 583 of 31 August 2022). Their overarching objective is to ensure the inhabitants with the possibility of living in a clean and well-arranged environment, implementing activities oriented towards sustainable development, preserving the environmental quality and biological diversity, ensuring sustainable development of natural resources, as well as public participation in decision-making and awareness of the environmental condition. They also included specific indicators to measure the progress.

Coordination mechanisms between local, regional, and national levels are very complicated. Local municipalities in Latvia have several environmental protection functions. Some of the regulations (e.g. rules on air quality, Law on Pollution) set functions in air quality for the municipal level. From 01.01.2023 new Law on Local Municipalities is in force now requiring several new approaches, e.g. participatory budgeting. According to Article 4 of the Law on Local Municipalities the autonomous functions of local governments related to environmental protection are:

- to organise water, heating and municipal waste management services for the population, regardless of the ownership of the housing stock;
- to take care of the landscaping and sanitary cleanliness of the administrative territory of the municipality (lighting and maintenance of areas intended for public use; establishment and maintenance of parks, squares and green areas; flood prevention measures; establishment and maintenance of cemeteries and burial grounds for dead animals), as well as to establish maintenance requirements for areas and structures in so far as this is related to public safety, maintenance of sanitary cleanliness and preservation of the urban landscape;
- to determine land use and development in accordance with the municipality's spatial plan;
- to promote the sustainable management and stewardship of natural capital, and determine the use of municipal property held for public use, unless otherwise provided by law
- to contribute to climate change mitigation and adaptation [8].

Civil society plays an important role in environmental governance. The main civil society engagement mechanism is the Environmental Consultative Council established in 2003 – it is a consultative and coordinating institution that adopts advisory decisions in the fields of environmental protection and sustainable development. 20 members of the Environmental Consultative Council are elected annually by representatives from environmental civil society organisations. The MoEPRD provides a secretariat function [9]. There are also different consultative councils and supervisory bodies at other institutions (e.g. Ministry of Agriculture, Cabinet of Ministers, EU Structural Funds Monitoring Committees) where the environmental NGO representatives participate. Environmental NGO representatives also participate in public consultations on the local level, e.g. territorial planning or development of nature protection plans. Thus, they are able to directly influence decision-making on zoning issues, protection regimes and similar aspects in protected territories.

Inter/cross-sectoral coordination, integration of environmental considerations into broader government action can be powerful mechanisms for improving outcomes and for addressing the Sustainable Development Goals (SDGs). The leading institution responsible for national development planning, coordination and integration of SDGs into the national planning system in Latvia is the Cross-Sectoral Coordination Centre (CSCC). CSCC operates under the direct authority of the Prime Minister and is responsible for the development and monitoring of the highest national development planning documents: The National Development Plan of Latvia for 2014-2020 (NDP2020) and the Sustainable Development Strategy of Latvia until 2030 (Latvia 2030), as well as the implementation of national development planning documents in relation to the EU. CSCC, in cooperation with experts from line ministries, mapped the SDGs with the highest national level development planning documents and sectoral level policy documents. Mapping was done of 169 SDG targets towards goals and target indicators in Latvia 2030, the National NDP2020 and corresponding sectoral policies. This mapping exercise revealed the position of the SDGs and their targets in Latvia's policy hierarchy and provided insight into policy coherence and coverage. Ministries are encouraged to use mapping of indicators in the mid-term evaluation process of sectoral policy documents (ongoing) and, in cooperation with the public, to ensure the inclusion of SDGs in future policy implementation.

Additionally, the Sustainable Development Committee of the National Parliament (Saeima) also contributes to the mainstreaming of SDGs into the national planning system and public policies by viewing the Cabinet of Ministers' progress reports

on the implementation of Latvija2030 and NDP2020, by scrutinising unsustainable development trends, and also by offering recommendations for necessary improvements in related policies. However, no additional funds have been specifically allocated for the implementation of SDGs. With regard to the implementation of SDGs at a national level, it is important to take into account the available budgetary resources, focusing on the engagement of civil society and NGOs with an aim to increase the role of society in the implementation of the SDGs.

### **Good Governance Characteristics: Introduction**

The assessment framework designed for the initial EU commissioned study defined several good governance characteristic features or components, which could be used for studying environmental governance in the countries, e.g. transparency, accountability, access to justice, participation, effectiveness and efficiency, and others. These components will be characterized here and also in the next chapters of the paper, stressing particular interest issues.

Under the transparency as one of the good governance characteristics, there are examined the flow and quality of the information in support of the environmental policy. According to Article 115 of the Constitution of the Republic of Latvia (Satversme in Latvian - the Constitution), the State protects everyone's rights to live in a beneficial environment, to report on environmental conditions and to care for their maintenance and improvement. Article 100 of the Constitution provides everyone's right to freedom of expression, which includes the right to freely receive, keep and distribute information and to express his or her views. Censorship is prohibited. The Constitution obliges the State to ensure an effective environmental protection system, and individuals are entitled to environmental information and to participate in environmental decision-making. The Constitution (Article 104) also guarantees the right of individuals to receive a response from state institutions. If the person only expresses his or her opinion on a question and indicates that it does not need a response, the authority is not obliged to respond to such an application [10].

The principle of good legislation, which defines the procedural and quality requirements for the drafting and adoption of draft laws, is established in the Latvian legal system. However, the use of environmental information and data in decision making in Latvia is comparatively weak. Many legal acts are a political compromise, not fact-based decisions, e.g. environmental tax rates do not fully reflect environmental externalities, but are the result of a compromise decision by the government.

Wide participation in decision-making, including by a broad range of stakeholders, members of the public, and civil society groups, can contribute significantly to ensuring that policy decisions take into account a full range of facts, and that decisions have a broad base of support. Public participation is closely related with individuals' sense of their ability to influence environmental outcomes; and the equitability and inclusiveness of environmental policymaking. Public participation in Latvia is prescribed by several legal acts, including the new Law on Local Municipalities, which prescribes that the municipality cooperates with civil society organisations (associations and foundations) and ensures public participation in the work of the municipality. A whole chapter on public involvement in local government is devoted in this new law.

The decision-making system in Latvia is transparent and open to public participation from the point at which a draft law, draft regulations and policy documents are circulated between ministries in preparation for review by the cabinet - governmental websites are publishing draft legislative documents. Annotations of draft legal acts usually refer only to consultations with the social partners (mostly trade unions and the Chamber of Commerce), but draft legal acts regarding the environment are usually coordinated with the Environmental Consultancy Board.

A number of members of an organization with a specific economic, social, environmental, cultural or sporting interest in Latvia vary greatly depending on the year of examination. However, the majority of the respondents 'agree' that NGOs and associations can influence decision making at the national level and 'agree' that they share the values or interests of some of these organizations and trust them to act in the right way to influence political decision making [11]. The Eurobarometer figures from 2017 show that in Latvia, 76% of respondents agree that an individual can play a role in protecting the environment. The percentage agreeing is the same as in 2014, but there has been a clear shift from 'Tend to agree' to 'Totally agree', which can be seen as an improvement compared to the 2014 Eurobarometer results. The confidence level is significantly lower than the EU average (45% totally agree, and 42% tend to agree with responses to the question-statement) [12].

Public participation in planning and permitting processes such as on Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) provides for public participation in the processes with a huge impact of potentially dangerous and polluting activities on the neighbouring territories, people and natural life being therein. The main source of information on public participation are EIA reports. The Law on Environmental Impact Assessment stipulates that an initiator shall amend the EIA report by including a report on participation measures of the public and proposals submitted by the public therein - specifying how the submitted proposals are taken into account. Therefore, all EIA reports contain a report on the public consultation process, listing all the submissions (including from private persons, NGOs, different governmental and municipal institutions) and specifying how the submitted proposals are taken into account. After the EIA report is no longer available on the internet, it is available in SEB. It should also be noted that the public can participate in the EIA and SEA by submitting written comments, not only participating in the hearings. The level of public confidence in institutions is likely to be linked to public participation. The levels of satisfaction and confidence across public services in Latvia, based on a recent OECD study, show that it's quite low. The share of citizens expressing confidence/satisfaction with the national government - 32%, the police - 67%, the judicial system - 41% [13].

Equitability and inclusiveness can help to maximise public participation and involves gender balance in environmental administrations and in the judiciary; whether the information provided by environmental administrations is accessible to disabled users; and whether the information provided is recognised in minority regional languages. The Constitution does not formally acknowledge the concept of a recognised minority language, however, the Russian-speaking minority accounts for ~25% of the population. Nevertheless, all the official government information is and must be in Latvian in accordance with requirements of the Official Language Law (in some cases also in English). The only environment-related information in the Russian language is provided by some of the Russian language media, including national radio and television broadcasting programmes.

Effectiveness and efficiency covers a wide variety of issues, and is also relevant to a number of the other dimensions; in it, and it examines how well resources (financial, material, and human) are used in delivering environmental objectives, including by considering mechanisms for ensuring that environmental issues are addressed in other areas of administration and policy. The bulk of the funding supporting environmental protection is operated by The Administration of Latvian Environmental Protection Fund



under the auspices of the State Regional Development Agency. The aim of this fund is to promote sustainable economic development by integrating environmental protection in all sectors of the economy in order to ensure citizens' right to live in a clean environment in accordance with national environmental policy guidelines, as well as adequate measures for the conservation of biodiversity and the protection of ecosystems. Also local municipalities are also encouraged to reinvest their income from natural resource tax revenues to invest in environmental protection, e.g. Riga city municipality has established its own environmental fund. Apart from these funds, there are also other funds for environmental protection available in Latvia, e.g. EU structural funds, Latvia-Switzerland cooperation programme, Latvian Environmental Investment Fund, and EEA grants [14].

### **Citizen Engagement**

The Environmental Protection Law as the “umbrella-law” in the environmental protection sector in Latvia provides that each private person, also associations, organisations and groups of persons has the right:

- to request that the public authorities and local governments, officials or private persons terminate such acts or omissions, which deteriorate the quality of the environment, damage human health or endangers life, legal interests or the property thereof;
- to support measures of environmental protection and to co-operate with the public authorities and local governments in order to prevent realisation of such activities, also taking of such decisions, which may deteriorate the quality of the environment or contradict with the requirements of the laws and regulations regarding the environment;
- to provide information to the public authorities and local governments regarding the activities and measures which affect or may affect the quality of the environment, as well as information regarding negative changes observed in the environment which have originated as a result of such activities or measures;
- to submit proposals regarding the legal order and draft documents developed in the environmental field to the public authorities and local governments [15].

Effective mechanisms to enable members of the public to make complaints about environmental problems, and for those complaints to be properly addressed, are an important part of environmental compliance assurance. They also reinforce public confidence in environmental laws. This issue may be examined in the light of two dimensions of complaint-handling: first, complaints to public authorities about environmental problems that the authorities are asked to deal with, e.g. odour or noise nuisances or harm to a Natura 2000 site; second, complaints about public authorities' alleged failure to fulfil environmental tasks, often made to national ombudsperson offices. This issue includes also wider citizen engagement, by focusing on the use of simpler, “citizen science” approaches to obtain useful information from the public [15].

Information on the possibility to complain about an environmental nuisance or environmental damage is easily available on the website of the State Environmental Service. There is also a mobile application, Environment SOS, developed to make such complaints easier. According to the Reports of the State Environmental Service, it receives more than 1000 complaints every year, mostly about waste, air and water pollution. Most of the complaints were then forwarded to other competent institutions. Currently, more and more complaints are also submitted via social media. All complaints and questions are treated as standard applications, which have to be answered within 30 days if a complaint does not require immediate action.

Webpages of the state institutions do not give any instruction on where and how to complain about alleged maladministration. If the institution does not act in accordance with the law, people must complain to the higher institution or the administrative court. However, it is also possible to complain to the Ombudsman, which also provides consultations to the public. In accordance with requirements of the Administrative Procedure Law and requirements of the Law on Submissions, any individual, legal person or NGO may submit to an institution and the institution shall examine a submission, which incorporates a request, a complaint, a proposal, or a matter within the competence of the institution providing a reply of substance. The reply should contain factual and legal grounds, providing a well-structured response and assessment on behalf of the institution. An institution shall provide replies in a timely and transparent manner. With regard to any individual, legal person or NGO, anyone has a right to lodge a complaint to the responsible administrative institution or an appeal to the administrative court in environmental matters without any other specific conditions. In other words, a complaint may be lodged if any individual, legal person or NGO considers that an administrative decision or well-established practice, as well as an omission to act, violates the law protecting the environment and nature, or can create threats of damage or damage to the environment.

There are, for example, several campaigns to raise public awareness, especially against illegal fishing and illegal buildings in coastal dunes. These campaigns have mostly been run by NGOs, e.g. WWF-Latvia, an anglers' association and the Latvian green movement. More strategic and permanent information and awareness raising work have been implemented by Nature Conservation Agency by establishing Nature Education Centres in all regions, public events, media campaigns, publications etc. There are several citizen science initiatives in Latvia. One of them is the public monitoring programme for nature objects developed by the Nature Conservation Agency with the support of the GEF/UNDP (Global Environment Facility/United Nations Development Programme) co-financed project ‘Biodiversity protection in North Vidzeme Biosphere Reserve’ (2005-2009). Inhabitants were invited to obtain and submit information in questionnaires on different species (some rare, some common), agricultural activities, distribution of invasive species, etc. in their property or neighbourhood. The Latvian Nature Fund created a special web page where everyone is welcome to report on wild flora and fauna observations in Latvia. There is quite a large interest in both of these programmes from inhabitants. The Nature Conservation Agency of Latvia has created a geospatial database for the gathering of all nature conservation related data called “OZOLS”. Data obtained by citizen science initiatives and projects is added to this database and if correct and plausible used for decision making. Currently, the main citizen science initiatives administrated by the Nature Conservation Agency is the monitoring of coastal birds and reporting on monumental trees.

### **Governance in Local Municipalities**

Quality living environment and environmental protection as a prerequisite for such living environment is one of the policy priorities of Latvia and, consequently, of local governments. Environmental issues are integrated in all policy sectors of local governments because the long-term vision of the municipality is to create the best environment for people, families and young families, based on a good natural and social environment.

The implementation of an environmental management system in Latvian municipalities is not compulsory, and municipalities are free to choose which components of the system should be implemented in a particular place to address specific needs and problems. Nor is there a requirement for an executive structure to implement it. Therefore, there is a wide variety of how

environmental governance is structured in different local governments depending on actual situation and needs, as well as available financial resources. In opposite to the more or less similar structure of government institutions on the national level, the structures, responsible bodies in the fields of environmental protection, environmental management, and resources management in municipalities vary widely and differently. In Latvia, there is no uniform pattern of such environmental executive body, which may be: a separate department or division; a part in another administration or department; the Environment Division in another department; an individual specialist; there is no separate department or specific specialist in several municipalities, but the responsibility is shared between several employees, municipal companies, departments. Different working groups can be set up and operational to manage projects and to address certain topical issues by inviting specialists from other institutions (not just municipality administration).

Local governments, as entities in the field of public law, may rely solely on regulatory enactments which define in detail the functions, rights and duties of local governments. However, there are specific regulations available in local level - binding rules, which are in force in a specific area and apply to environmental management, such as waste management, waste water discharge, management of public areas, as well as incentives for energy efficiency measures taken, works to combat invasive plant species, etc.

OECD Environmental Performance Reviews: Latvia 2019, made recommendations to strengthen the institutional framework and legal framework for municipal environmental governance, and also to raise awareness, by calling on Latvia to Strengthen the oversight of the public administration with regard to municipal land use planning and the provision of environmental services (waste management, water supply, etc.). European Commission in year 2019 had recommended for municipalities to use economic instruments such as "pay as you throw" and set mandatory recycling targets and measures for municipalities in case of non-compliance, as well as to develop and implement implementation support programs for municipalities to help support their efforts to organize separate collection and improve recycling performance [1].

Local governments shall act at the level of the budget available to themselves, including the so-called special budget, consisting of contributions from the Natural Resources Tax, which can only be used (spent) to finance measures and projects related to environmental protection, such as education and awareness raising in the field of environmental protection, environmental monitoring, preservation of biodiversity and protection, air protection, and climate change, environmental and natural resources research, assessment, recovery, water protection, soil protection and rehabilitation, strengthening the performance of environmental authorities and public environmental inspectors, waste management, etc. The involvement of wider society, NGOs, private companies, private-public partnership projects could, on the one hand, reduce the amount of financial resources to be invested on the part of the municipality for infrastructure and technological development and, on the other, promote public involvement and co-responsibility for the decisions taken and careful and responsible maintenance results of projects carried out, such as bathing sites, waste collection sites, etc. In regard of budget of local municipalities, it is recommended by the EU Environmental Implementation Review 2022, Country Report – Latvia for the national government to set mandatory recycling targets for municipalities, using measures to tackle non-compliance (e.g. fines).[16]

According to the Law on Spatial Development Planning, climate adaptation measures in municipalities must be planned as part of municipal development programmes. The Latvian Climate Change Adaptation Plan for the period up to 2030 delegates municipalities to ensure that detailed actions and necessary climate change adaptation measures are included in their development programmes. Similarly, the new EU Adaptation Strategy (Towards a climate resilient Europe: the new EU Climate Adaptation Strategy) requires that "Adaptation strategies at all levels should be effective and based on the latest science. Adaptation strategies will continue to be important tools. National, regional and local authorities should develop them further".

### **Good Practice and Governance Developments**

There are to be presented also some good practice samples, actually also exemplary for a wider audience around:

- Participation good practice: Public to initiate legal proposals. The Second National Action Plan of Latvia on the Open Government Partnership Initiative includes several good practice examples, e.g. "Mana balss" (My voice), which allows the public to initiate legal proposals to be submitted to the Parliament and the development of a draft law on the protection of whistle blowers.

- Access to justice good practice: Very broad access to justice in environmental cases. Latvia grants the public, notably individuals and NGOs, very broad access to justice in environmental cases. It has well-developed legislation on access to information and public participation, e.g. all the draft planning documents and legal acts are available for comment. The mobile application "Environment SOS" is a good private initiative making submission of environmental complaints easier for the general public.

- Compliance Assurance good practice: Simple easy to use risk assessment tool. The State Environmental Service (SES) has developed a risk assessment tool with simple easy to collect samples for evaluation criteria. This tool helps them to prioritise which sites to inspect in the current year and which sites to leave in subsequent years. SES also works collaboratively with many other regulatory agencies and academia. This helps to reduce the administrative burden, with sharing of intelligence leading to better environmental outcomes and solutions to technical problems.

- Effectiveness & Efficiency good practice 1: Electronic services to interact with society. The MoEPRD and its subsidiary institutions have all developed electronic services to interact with society. The State Regional Development Agency (a subsidiary institution of the MoEPRD) has developed a One-stop-shop concept for Latvia. According to this Concept, all the ministries should include their services in the public portal, with more and more environmental services consequently being made available online.

- Effectiveness & Efficiency good practice 2: Formal cooperation agreements to fight environmental crime. In Latvia, formal cooperation agreements to effectively fight environmental crime, exchange information and ensure training has been signed by the Nature Conservation Agency and the Municipal Police of Riga, the Customs Board and the State Environmental Service.

- Effectiveness & Efficiency good practice 3: Complaint handling through social media. A lot of complaints are submitted via social media. The Nature Conservation Agency has both Facebook and Twitter accounts, while the State Environmental Service operates only a Facebook account. Both institutions actively respond to the questions and complaints submitted.

As indicated by the National Environmental Policy Guidelines 2014-2020 of Latvia, one of the most pressing challenges that require government policy for addressing horizontal issues in environmental protection there is insufficient identification and promotion of good practice in local planning and environmental action, which can be found in many municipalities in Latvia.

Civil society should be strengthened by building its capacity to increase public participation, public trust, and access to justice. Navigation and the search option for access to environmental information, as well as the availability of the high quality and easy to understand environmental information should be significantly improved in Latvia. There is also limited data interpretation available for easy use and understanding. Measures should be also taken to improve: development and distribution of environmental information to the wider public; environmental impact assessment of legal acts; interpretation of environmental information, e.g. environmental indicator reports, better visualisation and diversification of information media (video, infographics etc.).

Latvia is planning further digitalisation of services, in response both to the rapid increase in e-Government use in the population and the development of a national e-governance strategy. It is also planned to improve access to spatial data and services, identify and document all spatial datasets required for the implementation of environmental law, and make the data and documentation at least accessible 'as is' to other public authorities and the public through the digital services foreseen in the INSPIRE Directive.

The National Development Plan of Latvia for 2021-2027 [17] as the highest level planning document in Latvia provides that by year 2027 Latvia is among the first countries to systematically implement coordinated, data-driven action to pre-empt privacy and legal risks in information technology and artificial intelligence. At the same time, there are constantly improved government management processes, using the latest technologies. The open government provides citizens with quick access to information that is easy to understand. The bureaucracy is reduced and processes are accelerated. Transparency reduces corruption risks at national and municipal levels. Smart management personalizes the services and optimally balances the public interests through digital capabilities, interdisciplinary coordination and new competencies of governance officials. Governance is a two-way process, and anyone can propose improvements. Public and local authorities are proactive and trusted [18].

### **Conclusion**

Environmental governance is strictly structured at the national level but there is a wide variety of how environmental governance is structured in different local municipalities depending on actual situation and needs, as well as available financial resources. Local governments, as entities in the field of public law, may rely solely on regulatory enactments which define in detail the functions, rights and duties of local governments. There are full set of various environmental governance instruments at national level. Coordination mechanisms between local, regional, and national levels are complicated and shall be improved, although the legislative framework is exhaustive and detailed, but it is fragmented in relation to the environment protection. As regards the comparatively well-established institutional and administrative environmental framework at the national level, the key issue for current development stage there is the issue of serious capacities enhancement, but at local governance level there are only separate restrictions imposed by regulatory enactments, leaving municipalities with a relatively large freedom of choice, but within their limited administrative capacities and financial resources available. Framework for communication process and its complementary instruments developments has a number of positive characteristics and various successful cases, but ought to be further system-wise expanded.

Effective mechanisms to enable members of the public to make complaints about environmental problems are in place, and for those complaints to be properly addressed, are an important part of environmental compliance assurance. They also reinforce public confidence in environmental laws. At the grass-roots level, Latvia grants the public, notably individuals and NGOs, very broad access to justice in environmental cases. It has well-developed legislation on access to information and public participation, e.g. all the draft planning documents and legal acts are available for comment. The existing mobile application is a good private initiative making the submission of environmental complaints easier for the general public. Latvia is planning further digitisation of services, in response both to the rapid increase in e-Government use in the population and the development of a national e-governance strategy.

Environmental governance in Latvia is comparatively well developed as for governance framing at the all levels (national, regional, local and grass-root level), as well as characterising main governance components under assessment, e.g. transparency, accountability, access to justice, participation, effectiveness and efficiency, and others.

### **Acknowledgments**

This is to acknowledge Environmental Science Department, University of Latvia for supporting this publication, and, particularly, the non-profit NGO "Green Liberty" and project No. 07.0203/2017/764990/SER/ENV.E.4 "Development of an assessment framework on environmental governance in the EU Member States" financed by the European Commission, within frame of which has been re-elaborated Environmental Governance Assessment for the Republic of Latvia,.

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