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Development of Environmental protection institutions in Latvia

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Abstract

The paper aims to develop a model for the Environmental protection institution development in Latvia. The current research is based on literature analysis, as well as, sociological research methods – deep interviews (involving representatives of the state environmental institutions), questionnaires of experts representing principal target groups (state institutions, entrepreneurs, municipality companies, municipalities, NGOs, education institutions, research institutions and mass media) and a case study research. The research had been carried out in two governance levels – at the national and the regional level. The Environmental protection institution development model comprises the basic principles of Environmental protection system and a frame of Environmental protection institutional structure including the principal institutions and their proposed functions. Institutional structure of Environmental protection system should be based on coordinated distribution of institutional functions, which fit together within common framework. The application of adaptive management approach should promote the operative and flexible decisions, more efficient supervision and higher adaptive capacity of institutions.

Keywords: environmental governance, environmental protection institutions, institutional structure, Environmental policy instruments.

1. Introduction

Thus far vast majority of papers devoted to Environmental governance have been carried out on national level; they outline the sustainable development perspective, as well as, realization of Environmental policy at national level, which actually has a principal importance at the national level. Analysis of Environmental protection development in a country requires the use of

Environmental science based approaches and principles and also frequently exposes somewhat gaps between the theory and practice. In this regard it is possible to identify rather different success within Environmental governance development in different countries. Moreover, that also depends on the content of environmental policy and the environmental policy stances and styles in different countries. (European Governance, 2001).

The role of Environmental governance in order to achieve sustainable development has been emphasized in a number of papers. The concept of Environmental governance frequently has been considered in perspective of good governance. The principles of good governance are well-known: namely, good political governance should be coherent, open, effective, participatory and accountable (European Governance, 2001).

Besides, good governance means the manner in which decisions are made that promote sustainable development (Harman, 2005). Environmental governance is characterized as “planning process for sustainable development”, which acts due to effective instruments and active stakeholder involvement. Participation, Accountability, Rule of law, Transparency, Effectiveness are most cited in academic literature aspects, which relates to Environmental governance.

The United Nations Development Programme formulates Environmental Governance Initiatives as “good practices and advocate tools that will improve a country’s capacity to protect the environment and to promote equitable access of the poor to energy and natural resources” (UN Development Programme, 2004).

The complex and multilevel character of environmental governance has been discussed. According to Hooghe and Marks, the multi-level governance has been defined as a governance where the state plays the leading role and steers the development (Hooghe and Marks, 2003). In that sense multilevel governance means that along with state institutions other units “can influence the policy processes at the local level, through sub-governmental, trans-national networks and international organizations” (Bulkeley and Betsill, 2003).

Sustainable development requires integration of the economic, social and environmental objectives in decision making and implementation processes. That comprises both: horizontal and vertical integration, which could lead to more coherent economic, social and environmental policies (Steurer, R., 2007). Besides, the concept of environmental mainstreaming has been recognized as principal challenge to improve environmental governance (Dalal-Clayton and Bass, 2009). The most frequently mentioned constraint to environmental mainstreaming is the lack of political will to look at longer-term needs and ensure environmental responsibility in decision-making.

Networking has been recognized as one of the most important Environmental governance key aspects. In this case networking should have the international, regional, as well as, local perspective. Besides, increased networking between public and private sectors could shift

responsibilities from the public to the private sector, leading to new forms of environmental governance (Eckerberg and Joas, 2004).

Last years most researchers indicated the growing trend to apply adaptive management approach. Adaptive management could be defined as a systematic process for improving management policies and practices by learning from the outcomes of management strategies that have already been implemented (Armitage, 2005). Implementation of adaptive management approach could provide a better flexibility and operativeness; recently adaptive management approach became current in water resources management (Pahl-Wostl et al, 2007), as well as, in drinking water quality management at national level (Benders, et al 2013).

In Latvia, within the system of environmental protection there are specific institutions that not only implement but also control the process of state environmental protection policy. State environmental protection institutions in Latvia are divided into two levels, namely, the national and the regional level, furthermore, each level has been delegated to perform specific functions within environmental protection policy realization in Latvia. The main Environmental institutions that are dealt with within this research paper are as follows – at the national level Ministry of Environmental Protection and Regional Development, State limited Liability Company “Latvian Environment, Geology and Meteorology Centre” and Environment State Bureau; at the regional level State Environmental Service and Nature Conservation Agency.

Since the beginning of 1990ies when the Republic of Latvia regained its independency state environmental protection institutions have developed both under centralization as well as decentralization schemes, moreover the system of environmental protection institutions in Latvia continue to evolve. However, the past structural alterations within the system tend to focus on the centralization process (Ašmane, 2011). The continuous reorganizations of the environmental system still tend to hinder clear distinctions among state environmental institutions and the realization of functions in the system.

2. Material and methods

The current research is based on literature studies and sociological research methods. Literature studies contained analysis of academic publications thus composing theoretical framework, publications regarding principles of environmental governance and environmental protection, as well as, documents regarding the current topicalities of the environmental protection system in Latvia.

However, the sociological research includes and reveals not only internal insights of the environmental protection system by carrying out deep structured interviews with former and current experts of the system, but also reveals external insights of the system by carrying out questionnaires of experts and representatives that have close cooperation with the system and also a case study research. The research has been carried out in two governance levels – at the national and the regional levels.

Within the first sociological research method – deep structured interviews – 15 respondents had been interviewed that represent former as well as current representatives of the state environmental institutions. The next research method, namely, questionnaires of experts includes 25 experts representing principal target groups: experts from state institutions, entrepreneurships, municipality companies, municipalities, NGOs, education institutions, research institutions and mass media. At last the final part of the research is case study research of state environmental protection system in Germany by carrying out a deep structured interview with an environmental governance professor (Ašmane and Sēja, 2013).

3. Results

Empiric research results can be divided into three main parts:

- a) internal assessment of Environmental protection system realizing sociological research – deep structured interviews with respondents from state Environmental protection institutions;
- b) external assessment of Environmental protection system realizing sociological research – questionnaires with external respondents: representatives from entrepreneurships, municipality companies, municipalities, NGOs, education institutions, research institutions and mass media;
- c) assessment of Environmental protection system applying case study research, which is based on available documents.

The following structure for internal and external assessment of Environmental protection system had been proposed: evaluation of Environmental policy, evaluation of Environmental policy instruments, communication and cooperation (last item has been selected separately due to its' significance within Environmental protection).

Assessment has been done for both national and regional levels (Ašmane and Sēja, 2013).

3.1. Internal assessment of Environmental protection system

Environmental policy

The realization of Environmental policy in country mostly is affected by the EU legislative frame (70%), but less by national legal requirements (30%).

The integration of Environmental policy at the Regional level has been evaluated as insufficient and rather formal; this process requires more principal understanding of the role of the Environmental policy integration within sustainable development perspective.

Environmental policy instruments

Environmental policy planning documents are too declarative, which relate to National Environmental Policy plan 2004-2008.

In general the operation of Environmental policy instruments had been evaluated as average, stressing the powerless of monitoring system, shortcomings in legal system and ineffective economic instruments. Insufficient use of voluntary covenants for more successful functioning of Environmental protection institutes had been recognized.

Environmental impact assessment had the higher evaluation for all Environmental policy instruments; this instrument actually acts in sustainable development perspective. The elaboration process of legal acts is evaluated as ponderous, which not always results with comprehensive legal act.

Furthermore, penalty, as a control tool, is insufficiently strict and this should be improved. There is a current need to develop technical provision for environmental inspection. Besides, the shortcomings within the state Environmental monitoring system and a lack of necessary data causes negative effects to Environmental protection at the regional level.

Communication and cooperation

More comprehensive cooperation between Environmental protection institutions at national and regional levels had been recognized as a principal precondition for further development.

The cooperation of State Environmental protection institutions with other state institutions, municipalities and mass media had been evaluated as good and satisfactory, however, with entrepreneurship as satisfactory, but with science and NGO as poorly (in 5 grade system). Accordingly, the cooperation of Regional Environmental protection institutions with state institutions and entrepreneurships had been evaluated mainly as good, with municipalities – satisfactory, with media and NGO - poorly, moreover, with science as very poorly.

3.2. External assessment of Environmental protection system

Environmental policy

Responsibilities and functions of the Ministry of Environmental Protection and Regional Development mostly had been evaluated as satisfactory (3,08 – 3,36). The lowest evaluation relates to the integration of Environmental policy into other sectors (2,56). Relatively low estimation relates to Latvian Environmental, geology and meteorology centre, where the meteorology provision was scored as 3,32, but all other functions (including Environmental data) only between 2,24 – 2,80.

Review of complaints and coordination of Environmental impact assessment process are functions with higher scores in the Environment State Bureau.

Most of the functions of the State Environment Service had been evaluated at satisfactory level; it can be mentioned – a relatively positive evaluation for issue of licences and technical regulations.

The evaluation of capacity for Environmental protection system indicated a relatively high competence of servants (3,15), but a low estimation for finance provision (1,8), motivation (2,16), technical equipment (2,24) and adaptation capacity (2,24) should be taken into account.

Environmental policy instruments

The evaluation of Environmental policy instruments mostly related to satisfactory and poorly level, with a relatively high evaluation for issue of permits and licences (2,9), environmental policy instruments (2,78), communication (2,52). Institutional (2,64) and infrastructure (2,26) instruments had a relative lower estimation.

The assessment of servants in Environmental protection system indicated rather higher environmental awareness and environmental protection insight for servants at regional level institutions. However, at the same time a relative low evaluation for motivation and adaptation capacity had been recognized at regional level; that suggests about low financial and technical provision at regional level.

3.3. Assessment of Environmental protection system - case study

The following principal considerations had been formulated.

Case study in Latvia

- Environmental policy and planning should be developed in cooperation with other sector ministries (Ministry of Agriculture, Ministry of Health and Ministry of Economy) in order to integrate Environmental policy issues;
- the operation of nature resource tax instrument in Latvia should be improved by optimization of tax size;
- Environmental monitoring at state level is insufficient due to reduced budget;
- a need for more comprehensive cooperation between state and regional level environmental institutions is recognized; that could be managed by both, formal and unformal activities;
- the comprehensive action of environmental inspection have been threatened due to reduced budget;
- the functioning of institutional and administrative instruments have become troublesome because the available environmental information is too fragmented and available finance and human resource use is not enough rationale.

Case study in Germany

- high public environmental awareness and public pressure towards state institutions for environmental problem solution are principal facilitating factors for successful Environmental protection;

- Environmental protection development have been perceived within sustainable development perspective;
- the integrative approach and integration of environmental aspects into other sectors are principal preconditions for development of Environmental protection and management.

4. Discussion

The Environmental protection institution development model have been proposed. The model comprises:

- a) the basic principles of Environmental protection system;
- b) a frame of Environmental protection institutional structure including the principal institutions and their functions.

4.1. The basic principles of Environmental protection system

The following basic principles of Environmental protection system at the state and regional levels had been formulated, stressing items, which are topical for country.

Environmental policy and planning

- state legal acts should be clear defined, they should be related to current situation and there must be capacity for their implementation;
- state institutions have to take decisions for Environmental protection system development; these decisions are based in science and legal framework, thus ensuring objectivity and public participation;
- a feedback actions should be applied at state and regional levels providing the operative correction actions for supervised environmental processes;
- supervision in Environmental protection system should act according to adaptive management approach and sustainable development perspective thus avoiding obstructive factors in Environmental protection;

Resource management

- a successful resource management in state Environmental protection institutions should lead to appropriate infrastructure, motivation and responsibilities;

Institutional structure

- functions and responsibilities of Environmental protection institutions should fit together within common framework thus obtaining a stable institutional structure;
- the interaction of Environmental policy instruments should be managed; thus achieving not only successful Environmental protection in the country, but also in Environmental protection institutions;
- adaptive capacity development in Environmental protection institutions should ensure operative, coordinated and qualitative decisions thus promoting the image of Environmental institutions in society;

- institutional subordination in regional Environmental protection system should provide methodological framework for successful elaboration administrative acts at regional level according national requirements;

Environmental communication

- a successful Environmental governance is based on management in all levels, so called, multi-level management, ensuring the communication with all principal target groups in public, municipal and corporate sectors;
- a principal role of mediators in Environmental protection system should be emphasized by promoting better coordination of operative, current and science based information exchange between Environmental protection institutions and principal target groups;
- environmental communication and education development should promote public awareness, as well as, public participation and public joint responsibility in Environmental protection process.

4.2. Environmental protection institutional structure: principal institutions and their functions

The following functions for Environmental protection institutions have been elaborated; these are as necessary improvements or new proposed activities applying Environmental policy instruments.

Ministry of Environmental Protection and Regional Development

Institutional and administrative instruments:

- development of one-stop-agency principle thus providing more operative and effective services, as well as, more comprehensive cooperation between state and regional level institutions;
- elaboration and maintenance of database for the EU legislation and guideline comments, thus facilitating the implementation of current EU requirements (new proposed activity);

Cooperation and communication instruments:

- cooperation with other sector ministries thus promoting integration of Environmental policy issues;
- development of research and provision of Environmental protection institutes with research results, thus providing science based information exchange;

Monitoring instruments:

- improvement of control measures for supervised institutions, thus improving capacity for institutions and strengthening Environmental protection system.

Latvian Environmental, geology and meteorology centre

Institutional and administrative instruments:

- improvement of environmental monitoring database – as unified, available and qualitative resource;

Cooperation and communication instruments:

- improvement of communication and environmental data access for all cooperation institutions;

Monitoring instruments:

- development of environmental monitoring laboratory network.

State Environmental Service

Policy and planning instruments:

- elaboration of Supervision programme within the State Environmental Service system, thus improving adaptation capacity (new proposed activity);
- feedback actions should be applied at state and regional levels providing the operative correction actions for supervised environmental processes;

Economic and finance instruments:

- provision of more strict penalties – increase of penalty higher threshold (new proposed activity);

Control instruments:

- improvement of planned controls and review of complaints within Environmental and nature protection, thus facilitating the operation of Environmental protection system;
- provision of audit-control (new proposed activity);
- improvement of technical provision for environmental inspection.

Institutional and administrative instruments:

- development of methodological management of territorial institutions thus developing the necessary feedback – providing operative correction actions for supervised processes;

Cooperation and communication instruments:

- comprehensive cooperation with other state institutions as well as education and research institutions, thus developing competence and professional knowledge based decisions;
- improved communication with society, thus developing public environmental awareness and public participation;

Monitoring instruments:

- improvement of verification of statistical information submitted from companies.

Nature Conservation Agency

Monitoring instruments:

- development of coordination and provision of research and nature science monitoring in nature protected territories.

Environmental Agency (proposed new established institution)

Institutional and administrative instruments:

- voluntary covenants, as effective instrument for initiation and facilitating principal target groups in Environmental protection system;

Cooperation and communication instruments:

- institution fulfils a role of mediator thus facilitating cooperation and information exchange among Environmental protection system and enterprises, municipalities and public;
- environmental awareness and competence development activities, promotion of public participation;

Monitoring instruments:

- informative part of monitoring; environmental information aggregation and surveys;
- environmental information exchange among all involved institutions.

5. Conclusions

Institutional structure of the Environmental protection system should be based on complementary applied Environmental policy instruments, coordinated distribution of institutional functions and responsibilities, which fit together within common framework, as well as, capacity and common understanding on Environmental protection importance for servants.

The application of adaptive approach should promote the operative and flexible decisions and solutions, more efficient supervision and higher adaptive capacity of institutions; abovementioned issues are fundamentally current and important for Environmental protection system development in Latvia.

A current need for new proposed institution, mediator in Environmental protection system, have been substantiated. The proposed institution would aim to promote cooperation and operative coordination of current and science based information exchange among Environmental protection institutions and other interested parties, i.e., enterprises, municipalities and public. That should contribute the professional competence of servants in Environmental protection system, a well as, the environmental awareness for public

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