

## Limiting environmentally harmful economic activities: the role of environmental NGOs and activist groups

### *Abstract*

*Environmental non-government organisations (NGOs) and local activist groups, as part of organised civil society, can play a crucial role in preventing some economic activities from coming to implementation if those are considered to be harmful to the environment. These groups use various tools to communicate their attitudes and attempt to mobilise public opinion in order to influence the decisions of local or national governance institutions in their favour. This article reviews the tools and the types of activities that these groups undertake via a series of case studies, looking also at how environmental NGOs and activist groups interact with other stakeholders and what participation methods these groups use. The author concludes that local activist groups tend to stay focused on one local issue and that their contribution to environmental governance is indirect and cannot be viewed as systemic. However, these case studies might not be fully representative and, therefore, the results require further testing in practice.*

**Keywords:** *environmental activism, NGOs, activist groups, protest, environmental governance*

### The place of NGOs and activist groups in environmental governance

The engagement of civil society actors, primarily NGOs, has become an accepted aspect of environmental governance in democratic systems. Concerning the terms and characteristics of the non-governmental sector in Latvia, the author refers in this article to environmental NGOs as those officially-registered NGOs in the national register of ‘Societies and Foundations’ (hereafter referred to as the ‘NGO register’) whose aims and activities in practice are linked to environmental protection. Environmental NGOs may be active at local and/or national level and/or be part of international environmental NGO networks and, in this way, also involved in international environmental issues and governance.

The author also uses the term ‘activist groups’ to describe grassroots groups that are based in local communities and/or that have been formed by local citizens opposed to certain economic developments, such as a polluting factory, a landfill site or road building. These groups may be referred to as not-in-my-backyard (NIMBY) groups and, for the most part, they would oppose types of activities that they believe are harmful to the environment.

Often, opposition might also coalesce alongside a consideration that proposed projects would not bring any considerable benefit to a local community compared to the possible harm that such projects might cause. Those groups are usually not regis-

tered in the NGO register and, often, they would be single-issue oriented and retain a local focus to their activities. It should not be excluded that some local activist groups may transform themselves into established environmental NGOs by registering themselves in the NGO register and including new issues and activities on their agenda, but that is not the usual practice.

In reviewing activism and its potential in Latvia, it is interesting to reflect on the willingness of citizens to take part in various activities. According to the TNS survey in Latvia, some 58 % of inhabitants are willing to take part in various protest actions (demonstrations, pickets, public meetings) to defend their interests (Diena, 2011). The author considers that to be a rather high percentage. There is, however, no exact data available on how many people are actually involved in environmental protection activities or community groups, particularly because such groups are often not registered. According to data from the *Lursoft* database, there are some 12 441 societies and 889 foundations registered in Latvia; however, it is not clear how many of those are concerned with environmental issues. When the Ministry of the Environment organised annual environmental forums in the 2000-2007 period, there were not more than one hundred participants.

Many local groups, recognising the limitations of operating in isolation, have built links with other like-minded grassroots groups. Consequently, the third category of grassroots groups refers to the development of coalitions and networks among local environmental NGOs (Carter, 2007). Some authors would refer to those networks of environmental NGOs and activist groups as an environmental movement. According to Roots (2004), environmental movements are networks of informal interactions that may include, as well as individuals and groups who have no organisational affiliation, organisations of varying degrees of formality that are engaged in collective action motivated by a shared identity or concern for environmental issues. Such networks are generally loose and un-institutionalised, but their forms of action and their degree of integration vary. Environmental movements are, however, identical neither with organisations nor with episodes of protest. It is only when organisations (and other, usually less formally-organised actors) are networked and engaged in collective action, whether or not it involves protest, that an environmental movement exists (Roots, 2004).

Networking and co-operation among various local groups and between activist groups and environmental NGOs is also common practice in Latvia. Often, local activist groups would approach established environmental NGOs to seek their support and advice on campaigning against damaging projects and to try to increase their knowledge of public participation opportunities in their attempts to influence decisions.

It has to be emphasised here that environmental governance promotes collaboration among diverse parties in order to develop creative and effective solutions to environmental problems, as well as to generate commitment to the outcomes that are achieved. Unlike top-down decision-making and enforcement in environmental protection, environmental governance involves a reallocation of power so that citizens and other civil society actors are involved in all aspects of the policy process, from issue identification to implementation and monitoring (Carmin, 2010). The author considers this to be a point of reference for good environmental governance. In practice, NGOs and interest groups play a more prominent role and, as a minimum, they are seen as one of the

stakeholders who should be consulted during various decision-making processes. However, NGOs and interest groups can also be viewed as partners to governmental institutions or business organisations in the planning and implementation of certain projects or policies.

In looking at the role of NGOs, there are two distinct visions about it – on the one hand, NGOs are seen as representatives of public interests or certain groups of people; while, on the other, they are also seen as partners to governmental institutions, working collaboratively with officials. These visions might overlap, but the author considers that NGO functions and those of activist groups can be categorised in the following way:

- representation: representing concerned members of the public or groups, or the public at large; representing and defending nature-related interests; having a watchdog function
- partnership: co-operating with public authorities and/or local governments in environmental governance, including awareness raising on environmental issues.

Environmental NGOs and activist groups in Latvia play different roles if one considers the approaches and working methods they use. Thus, environmental NGOs can act either as watchdogs or partners, or both. Concerning activities related to environmental NGOs and activist groups opposing certain economic activities and projects, such activities should be considered as having a purely representative function, an affirmation which can legitimately be advanced based on desk research, case studies and interviews in which representatives of NGOs and activist groups have explained to the author their rationale or provided justification for their activities. Mostly, they mentioned that they represented the interests of their community (quality of environment, public health) and/or nature-related interests (biodiversity, natural resources). Often, they would also mention that the interests of citizens or of nature have not been properly assessed and considered.<sup>1</sup>

However, concerning the representation function, it has to be considered that, even though NGOs are part of the public, their involvement cannot replace wider public participation, because each NGO has a certain agenda connected to the goals of that specific NGO. A review of the literature suggests that a careful distinction needs to be made between ‘public participation’ and ‘NGO participation’, because NGOs can play various roles and have various functions or identities.

Public participation measures should be broad enough in order to allow various interests to be represented, not only the interests of certain groups (Indriksone, 2003).

Furthermore, we need to make a distinction between institutionalised public participation and environmental activism. Institutionalised public participation may be referred to as civil participation using such opportunities as are provided by the Latvian legislation and various institutions, including submitting comments to draft legislation or policy documents, or taking part in a public hearing. This form of public participation would be mostly organised under a certain framework and involve rules, procedures

1 Interviews with representatives of environmental NGOs, local and national activist groups, environmental institutions and municipalities carried out by the author in the period between July 2009 and February 2011.

and deadlines on how organised civil society, or the public at large, can express its views and raise its concerns.

Environmental activism, however, may be seen as a more proactive form of activity, embodying the creation of new opportunities and approaches in environmental governance. A review of the literature also reveals that researchers point to the different methods that activists deploy. Conventional methods often prove fruitless, prompting frustrated and increasingly-politicised activists to adopt more confrontational, unconventional tactics, such as demonstrations, sit-ins and blockades (Carter, 2007). Carter points out that NIMBY groups exist everywhere and employ a wide range of strategies. Some are participatory pressure groups employing conventional tactics, including lobbying, organising petitions, filing lawsuits or running candidates in local elections to publicise their case (Carter, 2007).

Thus, environmental activism is mostly more confrontational and would involve petitions, protest actions, blockades or other type of activities that are based on the self-initiatives of activist groups. Those types of activities do not have any framework, specific rules or deadlines. These two categories of public participation might be looked at separately, but often they would proceed in parallel, i.e. activist groups would make use of institutionalised public participation opportunities and, in addition to that, would also use more confrontational tactics.

There can be two approaches distinguished by environmental NGOs and activist groups (Carter, 2007):

1. reformist insider strategy of pressure politics
2. radical outsider strategy of confrontational protest politics.

This classification is fully compatible with the approach discussed above of distinguishing between institutionalised public participation and environmental activism. Thus, we may categorise them in the following way (see Table 1).

Table 1 – Categories of groups, participation methods and approaches

Type of groups	Participation methods	Function	Approaches mostly used
Environmental NGOs	Primary: institutionalised participation	Representation and/or partnership	Insider strategy
	Secondary: activism (letters, press conferences, litigation, etc.)		Outsider strategy
Activist groups	Primary: confrontational methods (petitions, protest actions, litigation)	Representation	Outsider strategy
	Secondary: using opportunities for institutionalised public participation		

We may next turn to finding answers to the questions as regards the role that environmental NGOs and activist groups play in environmental governance in Latvia,

looking at various cycles of environmental governance – issue identification; policy planning; implementation; and monitoring. Looking at it from a legal point of view, environmental governance in Latvia is regulated by the Environmental Protection Law (the Law), whereas the policy framework is provided by the National Strategy for Environmental Policy (the Strategy). The Law states that its goal is to ensure the preservation and recovery of the quality of the environment, as well as the sustainable utilisation of natural resources; however, the Strategy does not define a specific goal. Does the level of public participation exercised by NGOs and activist groups help to achieve the goals of environmental governance? Are there significant differences in contributions from officially-registered NGOs and informal activist groups in the context of environmental governance?

At the stage of issue identification, both environmental NGOs and activist groups play a significant role. Here, activist groups may play more crucial roles than established NGOs. This applies to situations when local activists or groups are concerned about certain economic developments and start organising around the issue, as a result of which their efforts may be supported by national environmental NGOs.

Turning to other parts of the environmental governance cycle, established environmental NGOs play a more active role i.e. they provide feedback on the implementation of various environmental regulations; identify gaps in the system; and alert other actors to problematic issues. Participatory structures, such as various advisory boards or working groups, facilitate the involvement of NGOs, provide certain platforms and allow regular interaction with the Ministry of the Environment and its subordinated institutions, as well as other departmental ministries.

### Thematic case studies of activism against environmentally harmful projects

This research study proceeds on the basis of several case studies in Latvia where local activist groups and/or environmental NGOs have undertaken various activities to prevent the implementation of certain economic activities at the local level. These case studies were selected on the basis of a media review in the period 2009-2010, as well as through participatory research.

A short overview is provided here of the characteristics of the groups and their aims; the participation methods they had used and the initiatives they took; and their level of interaction and networking with other stakeholders. Furthermore, the author attempts to assess the role of local-level environmental activism in environmental governance. Here, we are. Here, we are trying to answer the question whether opposing certain economic activities improves the quality of environmental governance, i.e. whether it helps with the identification of critical issues, or with the planning; fosters the implementation of environmental policy; or promotes collaboration between different stakeholders.

The framework that the author uses to analyse the selected case studies is illustrated in Table 2.

Table 2 – Framework for analysing the activities of environmental NGOs and activist groups in the selected case studies

Item	Description
Type of group	Local, grassroots or national? Formal or informal?
Networking with other groups	Does the group co-operate with other groups or activists? Or with other environmental NGOs? Is there an affiliation with international NGOs?
Participation methods	Use of institutionalised public participation methods (including litigation opportunities) and/or confrontational methods of activism
Interaction with other stakeholders	Which other stakeholders has the group been interacting with or approached?
Contribution to environmental governance	How have public participation, protests or other activities contributed to the improvement of environmental governance? Has that been positive or negative, or had a direct or indirect impact?

#### Case study: pig farm development projects

Environmental activism against the running of pig farms in Latvia is carried out by local activist groups that can be characterised as NIMBY organisations, in as much as they oppose the building of pig farms in their neighbourhood. There have been a number of such protest actions across the country. These local groups have gained inspiration from each other, but there is not much co-ordination and networking between them as their focus remains local issues and their own neighbourhood.

A pig farm development project in Gudenieki faced fierce opposition. Local citizens were worried about possible smells and a worsening in their quality of life, as well as that nature-protected areas in the neighbourhood might be negatively affected. People had heard about the negative impacts of a similar project in the neighbouring county of Aizpute. The company developing the project, however, emphasised that there would be ten jobs created and that it would buy grain from local farmers, thus contributing to local economic development.

The local citizens of Gudenieki took part in a public hearing meeting in Gudenieki organised as part of a public hearing within the environmental impact assessment process. Participants in the meeting initiated a vote during that meeting in which it emerged that the majority were opposed to the pig farm project (*Diena*, 2010). The EIA process itself does not envisage or require any voting during public hearings, but the participants felt strongly about the project and thus initiated a vote to express their negative attitudes. However, the EIA report gave the go-ahead to the building of the farm, under several conditions.

Kuldīga county council next had to take a decision on whether to allow the investment project to be implemented in the area of the county. Local activists initiated protest actions outside the county council building on the day the vote took place, on 25 February 2010. In addition, the local NGO *Suitu novads*, as well as the NGO *Latvian*

*Green Movement*, expressed support and their representatives joined the action. In total, there were about sixty people protesting at the building (Diena, 2010). Local activists also found several allies among council members who supported their point of view, with the upshot being that the council rejected the investment project.

Similar opposition to a pig farm development project happened in Sesava. Local activists collected signatures from inhabitants who were opposed to the project. In total, 613 signatures were collected and, together with the petition, were submitted to the Jelgava county council. Earlier, local citizens had sent a letter containing 53 signatures to the Ministry of the Environment and to Jelgava county council (*Dienas bizness*, 2010). However, the EIA statement was positive for the project and Jelgava county council gave its consent. Despite those two decisions being positive, five local citizens filed a submission with the administrative court, claiming that the decision by Jelgava county council was illegal. The court agreed with the claim and, thus, the pig farm project cannot go ahead.

A slightly different scenario was in the county of Gulbene, where a limited company called ActusQ wanted to develop a pig farm. The majority of local citizens opposed the proposal: during the public consultation process, 135 inhabitants expressed their opinion on the project, of which 38 inhabitants and land owners were in favour and 97 were against. Considering the depth of public opposition, the Gulbene county council turned down the proposal. ActusQ disputed this decision in the administrative court, which decided in favour of the company (*Dzirkstele*, 2011).

In response to the outspoken public protests against pig farms, especially where foreign capital has been involved (most of these pig farm projects had been developed by Danish-owned companies), the Foreign Investors Council has come up with a suggestion to limit the decision-making rights of local counties (municipalities) when it comes to giving consent to investment projects that have already undergone an EIA process and where the EIA statement has been positive (*DELFI*, 2011). No amendments to any legislative acts have yet been made, but the Ministry of Environmental and Regional Development has expressed scepticism regarding the possibility of limiting the decision-making rights of local governments (municipalities), since this would limit their opportunities to execute their development strategies and to prioritise.

#### Case study: coal power plant project in Liepāja

A project by company JS HRC Libau to develop a coal power plant in the free economic zone of Liepāja has also sparked protests from local inhabitants. However, local activists started organising themselves once they had heard about the project. They sought advice and help from national environmental NGOs, namely NGO *Environmental Protection Club* and the NGO *Latvian Green Movement*; later on, the local environmental NGO *Radi Vidi Pats* also got involved in the issue.

The major concern of local activists was that the operations of a coal power plant would result in a deterioration in the quality of the local environment and in public health, whereas environmental NGOs were concerned about the sustainability of the project in the context of sustainable energy production and the negative precedent this project would set, in addition to any possible negative impact on air quality.

Local activists started collecting signatures to show public opposition to the project, collecting some 2 000 signatures from the inhabitants of Liepāja, especially from the neighbourhood near the project site. Several letters enclosing photocopies of the signatures were sent to the Mayor of Liepāja city, the Cabinet of Ministers and the President of Latvia (*Vesti Sevodnja*, 2011). Both the local activist group and the environmental NGOs got involved in the EIA process – participating in several public hearings and providing written submissions to the EIA report. Apart from that, local activists initiated additional public discussion meetings that took place in a local school. The EIA statement itself was positive, but it included 24 conditions that needed to be fulfilled in order for the project to be implemented.

Environmental NGOs sought to co-operate during their programme with the Regional Environmental Board of Liepāja and other environmental authorities, as well as with local councillors and the local media.

The city council of Liepāja gave its consent to the project, in a meeting held on 14 December 2010. A few days prior to the council meeting, one councillor organised a press conference at which local activists and environmental NGOs were invited to express their opinions. Three environmental NGOs sent a letter to the city council expressing concerns about the possible environmental hazards and asking for a postponement of the decision-taking as well as the organisation of another round to the proper process of public consultation. Despite those efforts, the project was approved by the local council. Subsequently, one of the councillors, together with local activists, took an appeal against this decision to the administrative court of Liepāja, claiming it ignored the interests of local citizens and would cause potential environmental problems. The administrative court of Liepāja has accepted the submission but, as regards the substantive issues, there is no verdict as yet.

The EIA process for the project sparked debate among the environmental NGOs about the quality standards associated with the environmental impact assessment part of the process. There has also been a debate about good governance standards and how well local government is taking public opinion into account. Some of the concerns expressed by the NGOs have been adopted and included as conditions in the EIA statement, while local activists and the environmental NGOs involved in the action are committed to follow-up and monitor whether all these conditions are, indeed, met in practice.

### Case study: wind farm developments

Activism against certain development projects is not always justified on purely environmental grounds. There are many cases when local inhabitants have organised a protest movement if they feel that a particular development project might not be beneficial to their local community whereas, at the same time, national environmental NGOs, environmental institutions or even the public at large might consider certain types of projects as being environmentally sustainable. One such example is the development of wind farms that has faced public opposition across Latvia as well as in other European countries.

In the case of Liepāja, the company Rapsoil wanted to develop a wind farm with twenty turbines in Liepāja. Rapsoil and Liepāja city council have stressed the impor-

tance of the project in the context of electricity production, the development of the transmission grid and, thus, the creation of indirect benefits for the local economy. In turn, the Ministry of Economy highlighted that the electricity produced by wind would contribute to a decrease in Latvia's dependence on energy imports (LETA, 2010a).

Local activists mobilised public opinion within the EIA process. Plenty of criticism about the project was expressed during public hearings and was also sent to the environmental impact assessment office. There were concerns about noise pollution and the negative impact on migrating birds. Local citizens asked for a more thorough assessment of the impact on nearby settlements, as well as on the cultural heritage. After the public hearing process, when the project encountered the fierce criticisms of the public, the company decided to decrease the number of turbines from twenty to eleven.

Likewise in the case of Tārgale (in Ventspils county), the wind farm development project of TCK faced the opposition of the local inhabitants. The company planned to build more than twenty wind turbines in the area. Local inhabitants were concerned that the turbines would be placed too close to their settlements and that the development would cause a loss to the value of their properties, as well as have negative impacts on human health. Public participation took place within the local development planning process in which public consultations, including public hearings, had to be organised. In the first round of consultations, 56 natural and legal persons expressed a negative attitude towards the project whereas 74 natural persons expressed their support (*Ventas Balss*, 2010). The result of public opposition was that the Ventspils county council suspended changes to the Tārgale local development plan that had been proposed by TCK.

In the case of Dunika municipality in the county of Rucava, local activists and the NGO *Delna* – a Latvian member of Transparency International – started litigation in the Constitutional Court as a result of the local development planning plan that envisaged the development of a wind farm. The submission to the Court was made by twenty local inhabitants, one of whom lived close to the site envisaged for the development. The local inhabitants claimed that the local development plan, accompanied by the plan for wind energy areas within the municipality, was illegal because a strategic environmental assessment should have been required for it. They also stated that the principles of sustainable development and care had not been taken into account, as well as that public participation rights had not properly been applied.

The Constitutional Court ruled that the disputed development plan was legal. The Court also pointed out that wind energy development would promote sustainable energy production and that it reflected the obligations of local municipalities towards the mitigation of climate change and, thus, should be considered to be sustainable (LETA, 2011). As for the direct impacts on nature, the NGO *Latvian Ornithological Society* assessed the possible impacts on the proposed site and concluded that no Natura 2000 areas or risk areas would be affected. Environmental institutions have also not concluded that there would be any significant negative impact on the environment.

Similar lawsuits have also been started on the impact of local development plans in other parts of Latvia. In the case of the municipality of Medze in the county of Grobiņa, 36 local inhabitants made a submission to the Constitutional Court claiming that amendments to the land-use plan were against the Constitution. Later on, another

lawsuit was started by nineteen local inhabitants opposing a plan that envisaged assigning part of the area for the development of a wind farm (LETA, 2010b).

Likewise, there has been fierce opposition to wind farms in the United Kingdom. One such case happened in a rather remote area of Scotland, where local people have organised in opposition to such a development. The local organiser mentions this in explanation of the reason for their protests:

It's not that we object to the technology or the concept of wind power – we do understand the need for making more use of renewable energy sources – but we only have half that number of households. What we object to is that the wind turbines are being put on our back door to provide power for people miles away (Senior, 2010).

Another concern of local communities is that those projects do not contribute to local development, or otherwise do not reflect the needs of the local community.

It is interesting that officials from regional environmental boards have mentioned that they see this as one of the areas in which they would need capacity building and skill-sharing in order to ensure a proper assessment of the environmental impacts of wind farms.<sup>2</sup> This is also seen as one area in which Latvian environmental institutions could learn from environmental institutions in other countries. The Ministry of Environment has, however, commissioned a study (in March 2011) of the methodology for an assessment of the environmental impacts of wind farms.

## Conclusions

The case studies reviewed in this article, together with the theoretical framework, enable us to draw several conclusions about the role of local activist groups and environmental NGOs. These particular case studies might not be fully representative, but they do still provide answers to the questions asked at the beginning of this article. They also support the assumption that the role of protest groups in the context of environmental governance is often overlooked.

Local activist groups may not aim for changes in national environmental regulations, but protests against a certain type of economic activity, especially if they are repeated across the country over the same type of projects, may trigger improvements to regulations, such as the regulation on environmental impact assessments and public consultation. At times, they may also lead to stricter standards.

The involvement of NGOs in specific cases also contributes to the building of their own capacity in terms of a better understanding of how certain regulations are implemented, and may also enable them to come up with suggestions for improvements.

All in all, protests and the high profile activity of citizens in certain decision-making processes tend to lead to improvements in the implementation of environmental regulations and policies, and provoke public discussion on environmental protection, sustainable development and the principles of good governance. Activism promotes co-

2 Interview with I. Pļaviņa, Director of Ventspils Regional Environmental Board (interview carried out on 12 April 2010).

operation between NGOs and activists, since networking and co-operation between NGOs and activist groups is common in most of the cases, as well as increasing interaction with other stakeholders. Thus, it can be concluded that the involvement of NGOs and local activist groups contribute to environmental governance by ensuring the involvement of civil society actors in all aspects of the policy process, from issue identification to implementation and monitoring.

As for methods of public participation activities, both approaches are used, i.e. utilising institutionalised opportunities for public participation as well as more confrontational ones. Institutionalised forms of public participation provide opportunities and create the space for a concerned public and NGOs to express their views and promote discussion. Therefore, institutional public participation may be considered as a significant factor stimulating public involvement, triggering a broader public debate about certain issues. In contrast, environmental activism reaches beyond institutionalised public participation and mostly includes petitions with collections of signatures, statements to the media and press conferences, and protest actions. Litigation is also often used as a participation method, particularly if an activist group or NGO feels that their opinion has been neglected in the process. The impact on environmental governance can be observed in relation to the verdicts of the Constitutional Court.

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