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European Commission  
DG Agriculture and Rural Development  
Unit RD Programmes Estonia, Finland, Latvia, Sweden

Latvian Green Movement on behalf of the Latvian Fund for Nature in cooperation with CEE Bankwatch Network – are approaching you to express our worries about the following issues during the programming process of Latvian Rural Development Programme (RDP) 2014-2020 and its integration into the EU Cohesion policy 2014-2020 in Latvia.

### 1. Implementation of the Partnership Principle in Latvia

The situation in Latvia could be described as it has been much welcomed by partners to take part in the programming process of RDP in the past year for NGOs and associations working on agricultural issues as well as for some of the Environmental NGOs. In the development stage of the process public consultations have been conducted on the Rural Development Plan and on the Partnership Agreement (PA) and the Operational Programme (OP).

Regarding the partnership principle related to OP and PA programming processes the efficiency of partnership often depending on the relationship between NGOs and the relevant ministry. It has worked out best when NGOs and the relevant ministry can reach agreement on problematic issues bilaterally. In some situations it has been virtually impossible to have meaningful partnership in terms of impact, and the Ministry of Finance has not been trying to mediate the process, but left everything to the line ministries. Here environmental NGO involvement was different in each ministry. The process in the Ministry of Environment was quite positive, whereas in the Ministry of Agriculture and in the Ministry of Education they mostly would involve and listen to 'friendly' NGOs only.

As a result of the strict deadlines for commenting on the latest versions of OP to be presented at a coordination meeting in December 2013, there were even no answers to the latest written recommendations by NGOs. As an argument for not taking them into account, the Ministry of Agriculture said that it hadn't read them all yet. However, the comments were not included in the next report on objections raised over the draft version of OP, nor were they answered (as of February 2014).

Often communication can be described as one way, meaning that there is no argumentation as to why a comment or proposal has not been taken into account. Many questions and comments proposed by NGOs are postponed to the next programming stage with comments such as "We will discuss this at the next level when preparing regulations in the Cabinet of Ministers". It should be stressed that while the European Commission requires the partnership principle to be integral to the development of the OP, there are no such requirements for the development of 'Cabinet of Ministers regulations' in Latvia, and it is often very difficult for NGOs to be able to comment on that set of regulations.

## ***Comments will be considered in 2020***

Latvian Fund for Nature has submitted several proposals for measures on biodiversity preservation to be included in the RDP. The Ministry of Agriculture responded that they would consider these proposals when preparing programming documents for the next programming period 2021-2027.

## **2. Planning process of the Rural Development Programme 2014-2020**

Some of the comments and suggestions from NGOs related to nature protection issues within the Operational Program were addressed to the Ministry of Agriculture, which is responsible for the development of Rural Development policy in Latvia. The Ministry of Agriculture however rejected those suggestions, arguing that the issues addressed by NGOs were not subject of the OP, but the RDP. But then they didn't react on the issues raised within the context of the RDP, the Ministry of Agriculture even neglected showing the new RDP to NGOs despite it being often requested. The Ministry of Agriculture only sent specific related part of the RDP, cut out from the overall document, when answering specific questions and comments related to the OP. (The first version of RDP publicly available was published in the summer of 2013 and then only the next significantly changed and updated version was distributed to the members of RDP Monitoring Committee on 27<sup>th</sup> of January 2014. The last version of RDP was made available to public only by the time it has been sent to EC (2014. March).)

### ***How should environmental partners get the “whole picture of environmental mainstreaming” in the country, when crucial elements are held under secrecy?***

It is necessary to involve especially environmental NGOs to ensure sustainable implementation of EU Funds. In this way, without transparency of the RDP into the EU Funds planning process, it is not possible to access the whole environmental dimension of the EU funds.

*In the previous communication with the Commission it was stressed that “The temporary Monitoring Committee for Rural Development Programme 2014-2020 plays a key role in planning the Rural Development Programme 2014-2020 based on targets which need to be justified<sup>1</sup>”.*

However we see that the role of the temporary Monitoring Committee (MC) for RDP 2014-2020 was not significant and to our understanding had minor impact on the final content of the RDP. There were only 2 MC meetings where the new RDP was discussed (April 12, 2013 and September 7, 2014). Besides the meetings members of the MC were invited to send in their comments for draft measure descriptions in early summer of 2013. This is the only involvement of the MC that we are aware of. Taking into account the above mentioned we would conclude

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<sup>1</sup> Ref. Ares(2013)3332207 - 24/10/2013

the role of the MC was merely observatory and it was not given an active in shaping of the programme.

Ministry of Agriculture promised to organize separate working groups until the summer of 2013 where environmental NGOs could take part too. The working groups would have more focus on environmental measures and criteria for the project tenders in terms of RDP. However on the end of summer there was no response from Ministry regarding these meetings and they have never happened.

### **3. Greening the RDP**

In the current RDP there are no ambitions towards biodiversity and the plan itself is even sounding more damaging to environment than the previous one. Currently the only one agri-environmental sub-measure in RDP targeting biodiversity – Maintaining Biodiversity in Grasslands is even restrained.

There is a plan to differentiate the support rate for biologically valuable grassland (BVG) maintenance in the new RDP and Nature protection NGOs very much support this initiative. However there is a risk that the intended differentiation may not start and the very low rate of the payments in the “transition period” may lead to the destruction of these valuable habitats.

Ministry of Agriculture on behalf of the Nature Conservation Agency in 2013 launched a large-scale work where identification of new Biologically Valuable Grasslands was identified, as well as its current state evaluated. However the work started in 2013 is not completed and at the moment MoA has not provided any indications when this work could be finalized. The delay is a serious threat for saving the remaining Biologically Valuable Grasslands, as until the grasslands are divided in 3 management complexity groups, the support in “transition period” is considerably lower the rate in RDP 2007-2013 (decrease from 123 EUR/ha to 85 EUR/ha). If the “transitional period” stretches until 2020, many of the most endangered grassland habitats which in most cases requires complicated and costly management, would be abandoned.

### **4. Green-washing in planning documents**

We are concerned about the tendency to include purely business oriented measures in the selection of environment measures in the RDP as well as in the OP. Greenwashing has often been evidenced in the OP and RDP planning process. As the response on NGOs and EC comments it is noticed that the essential meaning of the text has not much changed this regard although the sentences look more green and sustainable than previously. We raise EC’s attention on this to look closely to the thematic objectives and to assess the environmental profundity of the link from the very well defined headlines to the description of the activities planned to support.

### **5. Adapt the climate change or intensification of agriculture?**

It is stated into the OP that in order to adapt to climate change by reducing the threat of floods, to ensure quality of living of people and promote business competitiveness and continued business activities, various investment of the 2014–2020 programming period are planned, but only “end of pipe” solutions, putting more concrete to the ground instead of using natural, eco-system based solutions:

- 1) sustainable development and use of land resources by reconstructing the existing and constructing new hydrotechnical structures,
- 2) activities for adaption to climate change, by reconstructing the existing and constructing new drainage systems of national significance.

Environmental NGOs have proposed the inclusion of eco-system based adaptation measures in the above measures, such as the through the creation of wetlands and ponds to minimise run-off. These proposals, though, were rejected by the Ministry of Agriculture in the first public hearing phase – yet it’s precisely these types of environmental concerns that should have been picked up and described in the SEA report.

Yet, without natural adaptation measures, the risk of damage is high: ‘improved’ drainage will in fact increase nutrient run-off to the Baltic Sea and decrease the water quality; eutrophication is already a major threat to wetland ecosystems in Latvia, and the proposed measures will further worsen the status of the habitats of EU importance.

In this regard the analysis of climate change vulnerabilities and impact on different sectors of the economy could be more comprehensive. Green infrastructure and enhancing the capacity of the ecosystems should be considered as an option to cope with the flood risks and coastal erosions. The description of this thematic objective is very limited and should be improved. For instance, clarification on the planned promotion activities, as well as flood reduction measures should be provided. Green infrastructure solutions and measures should be considered to ensure viable and sustainable flood risk management.

Environmental NGOs express concern that the update in OP is done in the very general description, and it includes a description of why green infrastructure is not always applicable, ignoring the successful examples from other countries and EC recommendations, and environmental NGOs have repeatedly offered advice on this. Regarding construction and renovation of hydro-technical structure and drainage systems, we encourage measures which reduce the negative effects such as construction of sediment ponds, establishment and maintenance of buffer zones and re-meandering of straightened water courses. Restoring the natural features and characteristics of catchment areas, e.g. wetlands, floodplains, etc. is both economically viable and effective tool to address the impacts of the climate change as they provide significant ecosystem services.

We would invite the Commission to pay close attention on how the measure is implemented on the ground and count as environmental investment only those, where ecosystem approach has been used or attempts to reduce the runoff of nutrients and water retention are implemented.

## **6. Implementation of horizontal priority “Sustainable development”**

Environmental NGOs are concerned that environment is still seen as a separate issue in OP planning process and the implementation of the horizontal priority “Sustainable development” is not integrated very well into the OP and RDP. NGOs suggest that the environmental protection requirements should be integrated when selecting the evaluation criteria for projects with possible negative impact on environment to provide activities improving resource efficiency and climate change adaptation and risk prevention and management measures.

In the RDP no funding has been reserved for implementation or even piloting of target oriented habitat management agri-environmental measures taking into account the results of habitat mapping scheduled for 2018.

At the moment from the NGOs point of view the OP and RDP looks well defined and very promising in general. But the way how the documents are described at the moment is too general to assess the possible negative impacts on environment as well as for NGOs to consider that the implementation of OP and RDP could cause serious environmental problems. Environmental NGOs are concerned about several proposed measures that would definitely damage the environment, such as reconstruction of melioration systems. While we realize the importance of improving the quality of agricultural lands, we strongly require include the measures that would significantly reduce the nutrient runoff from the agricultural lands that are deemed to increase in the case of melioration.

For further inquiries or information, please contact:

[Selina.vancane@bankwatch.org](mailto:Selina.vancane@bankwatch.org)

Latvian Green Movement/ Member of Environmental Advisory Council of Latvia  
CEE Bankwatch Network

Andrejs Briedis  
Latvian Fund for Nature