

# LATVIAN CASE LAW: TREE CUTTING AS AN ENVIRONMENTAL THREAT

- Legal Standards and Institutional Competence
  - Santa Bernharde
  - Judge, Vidzeme Regional Court
  - 18 October 2025

# Introduction

- Background on environmental significance of tree protection
- Legal framework: Vides aizsardzības likums (Environmental Protection Law)
- Why this topic matters: public interest and legal accountability

# Legal Basis

- Environmental Protection Law, Article 9(3): public right to act in defence of the environment
- Regulations of the Cabinet of Ministers No. 309 (2012): rules on tree felling outside forests
- Local government's duty to evaluate ecological, landscape, and dendrological value

# Facts of the 2023 Case

- Jūrmala City Council Tree Evaluation Commission issued permit to cut eight trees
- Purpose: construction of parking area
- Applicant challenged the permit as unlawful and environmentally harmful

# Lower Court Decision

- Administrative District Court refused to accept the application
- Reasoning: applicant's interest "formal and insignificant"
- Claimed lack of evidence of serious environmental risk

# Senate Findings (1)

- Senate disagreed with lower court
- Held that tree felling itself can be a significant environmental threat
- Emphasized intrinsic ecological and aesthetic value of urban trees

# Senate Findings (2)

- Public consultation required before felling trees on public land
- Failure to hold consultation = procedural violation
- Arguments about necessity of felling specific trees are legitimate environmental concerns

# Compensation for Environmental Damage

- Tree-felling compensation system prevents biodiversity loss
- Incorrect or omitted compensation undermines environmental interests
- Public may challenge miscalculated or waived compensation

# Access to Environmental Information

- Right to request and receive environmental information (Art. 9(1))
- Independent procedural right, not dependent on further litigation
- Authorities must provide timely, complete responses

# Integration of Procedural Rights

- Participation + Information + Access to Justice = Three pillars of the Aarhus Convention
- Latvian Constitution Article 115 guarantees right to favourable environment
- Courts must interpret access broadly to make these rights effective

# Legal Principles Affirmed

- Environmental standing is broad and real
- Tree felling permits must consider ecological and social value
- Compensation and consultation safeguard public interest

# Conclusions

- Unjustified tree cutting = environmental threat of public concern
- Environmental law ensures balance between development and nature

# Final Thoughts / Questions

- “A single tree may be small, but its protection reflects respect for the environment as a whole.”
- Thank you for your attention.

Questions or comments?