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Case Summary posted by the Task Force on Access to Justice

21 Deputies of the Saeima v. Riga City Council, No.2008-03-03 Maskavas Street Regulations

1. Key issue	Public participation - The Aarhus Convention provides broad public participation rights to persons and organizations which have declared as their objective operation in the domain of environment.
2. Country/Region	Latvia
3. Court/body	Constitutional Court (Satversmes tiesa)
4. Date of judgment /decision	24 September 2008
5. Internal reference	2008-03-03
6. Articles of the Aarhus Convention	Art. 2, 6, 7
7. Key words	Access to Environmental Information – Access to Justice – Public Participation

8. Case summary

A group of members of the parliament claimed that the regulations on use and building of a particular territory in the capital of Latvia were contrary to Art. 115 of the Constitution of the Republic of Latvia ('the Satversme').

Art. 115 of the Satversme provides: 'The State shall protect the right of everyone to live in a benevolent environment by providing information about environmental conditions and by promoting the preservation and improvement of the environment'.

The Constitutional Court found that environmental, economic, and social interests must be balanced during the process of territorial planning. Moreover, environmental interests should not be treated more favourably than the others.

Different persons in different capacities had submitted their views during preparation of the contested regulations. The Court declared that not only neighbours, but also other persons are entitled to participate during the preparation of territorial planning documents, as they may have different interests in the relevant territory. Consequently, the Court held, *inter alia*, that the contested regulations were in conformity with Art. 115 of the Satversme.

9. Link address	http://www.satv.tiesa.gov.lv (the particular judgment is not available in English)
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