Working paper

PUBLIC ACCOUNTABILITY IN GMO POLICY IN LATVIA

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EXECUTIVE SUMMARY

This case study deals with Latvia's policy on the use of genetically modified organisms (GMOs).

The use of GMOs is still a relatively new issue on Latvia's public agenda. Until about the year 2000, the only information available to the broader public was some fragmented media reports on this issue in Western European countries and USA. Also first regulations in Latvia were adopted only in 2000. The government adopted these normative acts almost exclusively due to the need to adjust Latvia's regulatory framework to that of the European Union. While there is now also some domestic demand for a real regulatory policy in this area, the current shape of the policy is almost fully determined by Latvia's integration in the European Union.

Public participation levels in the formulation and implementation of the GMO policy in Latvia are low. Also the importance of the issue is perceived as moderate. However, interviews and media reports suggest that there is a potential for larger public interest in the issue. In principle, people are concerned with the safety aspects of genetically modified food but for the time being other aspects are perceived as more important such as the price of food.

Largely due to the EU policy, Latvia has the institutional framework that is necessary for the effective implementation of the GMO policy. Latvia also has necessary analytical resources and but it is only about to acquire technical equipment to be able to supervise the circulation of GMO in general, and GMF in particular. However, the enforcement of requirements to register, license and mark GM products is almost non-existent due to the lack of any technical control capacity.

One cannot speak of really functioning public accountability in the area of GMOs in Latvia. Public accountability procedures, which are in place, are not actively used by potential stake holders. State institutions appear to be able to be accountable but, due to the lack of a real accountability process, their condition might be characterized as *sleeping* accountability.

The functioning of public accountability is further complicated by the fact that the circle of experts is extremely narrow in this area in Latvia. There is no counter-expertise. Therefore virtually no one is able to scientifically oppose the present experts all of whom tend to downplay any worries about possible negative effects of the use of GMOs. Experts also tend to neglect any concerns voiced by so-called lay-people.

One of the prospective challenges of policy makers in this area is to prevent possible crises once public opinion gets sensitized about the issue of GMOs. Active promotion of functioning public accountability has a strong potential to prevent such crises from happening.

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I. INTRODUCTION AND METHODOLOGY

This case study explores public accountability procedures in the case of genetically modified organisms policy in Latvia. The purpose of this study is to gain a detailed insight into public accountability – its mechanisms and actual functioning – as it is found in the given case.

GMO policy was chosen largely because of its significance in the public agendas of a number of European countries (predominantly EU member states). While Latvia is subject to some of the same features of the issue (e.g. its market is potentially open for GM food) as other European countries, GMOs occupy only a marginal space in Latvia's public agenda. The role of public accountability with regard to such a relatively low-profile issue is a key point of interest in this case study.

This case study analyses what public accountability procedures have been and are in place where the GMO policy is planned, articulated, adopted and implemented. Moreover we look into the effect of public accountability, i.e. whether public accountability mechanisms have affected policy outcomes and whether they have made these outcomes more acceptable to actors involved. The study also focuses on what are the factors that either hamper the full-fledged realization of public accountability or dwarf the theoretically possible positive effects of public accountability. Finally we discuss whether public accountability mechanisms have the potential of preventing potential policy crises in the area of GM food.

The work on this case study proceeded in three distinct directions. First, we explored the basic *problematique* of the issue of genetically modified organisms and their use in food and crops. This was done with the help of familiarizing ourselves with some basic explanatory texts, media reports and a few interviews of general character with scientists and public officials.

Second, we explored and analyzed Latvia's official policy (normative acts and government actions) in the area of GM food. This was done by analyzing normative acts, other policy documents and interviews with relevant public officials. Official documents are particularly valid sources in this case because, in a number of respects, the policy is largely confined to the paper, i.e. its implementation is nearly non-existent.

Third, we analyzed the role of public accountability in the GMO policy. The principal method of research at this stage was interviews with public officials, scientists, representatives of NGOs. While we had to be aware that the preferences and perceptions of individual interviewees may strongly influence our findings, the correspondence of the contents of various interviews strengthen our confidence in sufficient internal reliability of the data.

Moreover a number of relevant questions were included in a nation-wide survey, which was carried out in October 2002.[1] This provides us with a quantitative insight into the public perceptions and beliefs about the issue in question.

[1] The survey was carried out in Latvia in October 2002. The sample covered 1000 respondents nation-wide.

II. RESULTS

1. Policy history and current state

The issue of genetically modified organisms or, more particularly, the use of GMOs in food (genetically modified food or GMF) has a rather low profile in the Latvian public agenda. The issue of GMOs in general and GMF in particular is relatively new in Europe since companies began working on GM products only as late as the mid-80's.

The Latvian government addressed the issue of GMO only as late as in the year 2000. On September 19, 2000 the Cabinet of Ministers adopted Regulations on the Usage and Distribution of GMO[2] and the Statute of the Supervision Council for Genetically Modified Organisms.[3] In 2003 the council was turned into the Supervision Council for Genetically Modified Organisms and the New Food.[4]

In 2002, the Cabinet of Ministers adopted regulations "Procedure for the Assesment of the New Food and Requirements for the Classification, Marking and Quality of the New Food".[5] The new food includes six groups of food. Among these two groups relate to GMOs, namely, food, which includes GMOs or consists of them, and food, which is produced from GMOs but does not contain them (Section 3.1. and 3.2.)

In respect to GMOs, Latvian legislation is fully in line with *acquis communautaire* of the European Union. Also the institutional framework is brought in line with European standards. GMO policy finds itself in the realms of three ministries – the Ministry of Welfare (with regard to food safety assesment and licensing), the Ministry of Environment and Regional Development (with regard to environmental protection) and the Ministry of Agriculture (with regard to control of production and distribution).

The Ministry of Welfare is authorized to issue permissions for the use and distribution of GMO in the market and the Ministry of Environment and Regional Development is authorized to issue permissions for intentional spreading of GMO in the environment.[6] The Latvian Food Centre (*Latvijas Pārtikas centrs*) is the so-called competent authority for the production, use and distribution of GMF and it operates

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[2] The Cabinet of Ministers. Regulations on the Usage and Distribution of Genetically Modified Organisms, No. 323, adopted on September 19, 2000. (Ģenētiski modificēto organismu izmantošanas un izplatīšanas noteikumi.) "Latvijas Vēstnesis", October 22, 2000.

[3] The Cabinet of Ministers. The Statute of the Supervision Council for Genetically Modified Organisms, Regulations No. 322, adopted on September 19, 2000. (Ģenētiski modificēto organismu uzraudzības padomes nolikums.) "Latvijas Vēstnesis", September 22, 2000.

[4] The Cabinet of Ministers. Amendments to the Statute of the Supervision Council for Genetically Modified Organisms, Regulations No. 322 of 19.09.2000. Regulations No. 288, adopted on July 02, 2002. (Grozījumi Ministru kabineta 2000. gada 19. septembra noteikumos Nr. 322 "Ģenētiski modificēto organismu uzraudzības padomes nolikums") "Latvijas Vēstnesis", July 12, 2002.

[5] The Cabinet of Ministers. "Procedure for the Assesment of the New Food and Requirements for the Classification, Marking and Quality of the New Food", Regulations No. 295, adopted on July 09, 2002. (Jaunās pārtikas novērtēšanas kārtība un jaunās pārtikas klasifikācijas, marķēšanas un kvalitātes prasības). "Latvijas Vēstnesis", July 12, 2002.

[6] The Cabinet of Ministers. Regulations on the Usage and Distribution of Genetically Modified Organisms, No. 323, adopted on September 19, 2000. (Ģenētiski modificēto organismu izmantošanas un izplatīšanas noteikumi.) "Latvijas Vēstnesis", October 22, 2000. Section 5.

under the supervision of the Ministry of Welfare. The Supervision Council for Genetically Modified Organisms and the New Food fulfills the role of an advisory board and will be described in greater detail in section 5 *Public accountability mechanisms and procedures*.

The Food and Veterinary Service (*Pārtikas un veterinārais dienests*), which operates under the supevision of the Ministry of Agriculture, has the task to control the production and distribution of the new food. However, despite the existing legal and institutional framework, the actual implementation of control has so far been nearly non-existent (see more on this in section 3 *Main agents, their characterization, involvement and strategies*).

2. Main Problem Dimensions and Discourses

Problem dimensions: The issue of genetically modified organisms and their use in food includes several blocks of problems.

First, there is a perception in the public that GM food may in some way harm human health (e.g. by way of contamination or allergic reactions). The interviewed experts either could not confirm this harm or called it virtually nonsense. One common claim is that GM food "contaminates" people with alien DNA. This was regarded as nonsense because DNA in any food (including traditional) is alien to humans. Moreover *"when we eat something, any gene disintegrates to the stage where there is no longer any difference. We eat salad leaves with all their genes and it's fine."* (Int. No. 6). The other claim is that GM food will have new biochemical characteristics that may harm health. Here again every newly selected crop has new biochemical characteristics.

Second, it is not entirely clear how GMOs may influence and possibly harm ecological systems and – through them – people. For example, marker genes used for genetic modification are resistant against antibiotics. It is not entirely researched whether this resistance can be accidentally transferred to wild plants and whether eventually it could not be transferred to people. Also resistance against insects may produce some ecological change that is still to be explored. This problem is for the time being considered of limited relevance for Latvia since no GM crops are known to be grown there. There is, however, no guarantee against unsanctioned planting of GM crops.

The third problem is related to economic competition. The ability of some companies to produce GM crops may give them a serious advantage against other competitors. Moreover the fact that GM crops are developed for particular geographical and climatic conditions may severely affect competition between various regions, countries or even continents. In the long run, these changes in competition may affect also Latvian companies. No Latvian companies are involved in the development of GM crops. However, GM crops may affect the situation of Latvian selectionists who might not be able to produce equally competitive crops. The competition related problem is connected with a concern that the use of GM organisms may seriously benefit already large and resourceful companies while harming smaller market players. This would lead to increased concentration of economic power.

However, economic concerns may also be of quite opposite character. Thus conformity between national GMO policies among EU member states and market barriers, which make it difficult for GMOs to enter the European food market, may deepen economic disparities between European countries and some of the third world countries (for instance, in the case of GM products grown in Latin America).

Fourth, it is not clear how the extensive use of GM crops may affect traditional agriculture. While these concerns have been mentioned in the Latvian media a few times, this coverage has been small.[7]

The previous point is related to various sentimental and mythical perceptions of genetically modified food products. As an illustration, the following sentence from an introductory text to a conference on biological agriculture is quite telling: "If we are united in our dream about Latvia as a green land, then no hellish norms will be able to force us to spoil land, use pesticides in our fields and let genetically modified organisms in."[8] In this case, one can speak of some kind of ethical or psychological barriers.

Such concerns may also be interpreted as the personalization of risk and benefits. Namely, one interprets potential risks and benefits within own perceptions on the economic patterns of agriculture and traditions of food. For instance, in Europe agriculture and food is closely related to rural life whereas in USA agriculture is considered a market factory and the acceptance of GMO is much higher.

Also concerns about the disrespect of consumer rights and disrespect of human rights to information are sometimes mentioned as problems associated with the use of GMOs.

Discourses: Interviews revealed a number of distinct discourses on GMOs and their usage. Experts biotechnologists and microbiologists emphasize the socio-technical discourse and suggest to concentrate on such aspects as the analysis of risks and benefits and estimation of unexpected consequences. This expert or scientific discourse states that the problem can be solved by means of scientific experimentation and political regulation and that the issue of GMOs can be solved with rational socio-political construction. On the one hand, technical knowledge can assess possible risks while, on the other hand, political regulations can reduce them. From this perspective experts accuse counter arguments expressed by citizens, media, NGOs as having no grounds and as scientifically non-substantial. They point critically to the ethical grounds of such objections.

Thus there are quite distinguished at least two discourses – the scientific discourse and popular citizen discourse. The former one claims that GMOs do not pose threats to humans and environment. The latter claims on the contrary that GMOs create huge risks and threats. And a problem is that none of these arguments can be fully proven.

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[7] Plamše, K. Pelāne, A. "Nepublicēts pētījums rada traci". "Diena", May 18, 2002.

[8] Taken from an introductory web-page to a conference „Biological Agriculture and Our Health" in Jelgava, Latvia on March 21, 2003 organized by the Latvian Union of Biological Agriculture Organizations. http://www.llu.lv/konferences/21032003a/index.htm Last accessed on May 29, 2003.

Having said this, one should note that in Latvia there are no strong controversies in GMO policy. The dominant agent is government, another important type of agents is experts, which together form the institutionalised supervision council as a formal public accountability mechanism. Political and expert discourses dominate and effectively exclude public debate. The expert reliance on experimental solutions and political reliance on formal regulations and control exclude other actors and arguments from deliberative and influential debates.

3. Main agents, their characterization, involvement and strategies

GMO policy in Latvia has not ignited any strong controversies and it hardly touches any agent's vital interests. Therefore the number of agents involved is limited. The most active agent is the national government because it has to adjust Latvian legislation to *acquis communautaire.*

State institutions, which are involved in the implementation of GMO policy in Latvia, focus their attention on the formal alignment of legal norms and relevant government structures with the requirements of the European Union. Meantime only limited efforts are so far made to ensure the enforcement of the respective legal acts. While interviewed officials are rather sure that some GM foods are actually imported and distributed in Latvia, none of such products have been registered or marked according to the legal procedure. Officials admit that currently such registration or marking is left completely up to the good will of importers and distributors. This lack enforcement is due to the lack of any laboratory equipment to test samples regarding the presence of GMO. There is, however, a program to start making such tests in 2003 when the number of such tests might range from 50 to 200 (Int. No 8).

Logically the next most significant agent is **the European Union**. Latvia today can be considered a country, which in terms of legal instruments and institutional arrangements respects international standards. Adoption of basic normative acts, which regulate the circulation of GMOs, was partly necessary because the European Commission, when formulating its opinion about accession countries' readiness to join the Union, pays particular attention to the conformity of laws and regulations.

With regard to EU's impact on national policies in Latvia as a candidate country, there are two tendencies in policy making. First is path dependent repetition and the enforcement of the European *acquis* following the patterns and logic of regulations introduced in current member states. The other option is proactive forward-looking policy making, which incorporates in legislation not only so called "European requirements" but also provides innovative legal and instrumental responses to new challenges. The predominant policy style in Latvia so far has been the path dependent enforcement of EU legislation and the GMO policy is not an exception.

Expertise on the substantive issues on the use of genetically modified organisms in Latvia is concentrated in a narrow circle of a few **experts-scientists**. Since commercially viable experiments and development of GM crops is beyond the possibilities of any company operating in Latvia, there is no demand for expertise from the business sector. So the scientists in this area specialise almost exclusively for academic considerations. Among interviewed scientists, there was a consensus that concerns about health risks from consuming GM food are without any grounds or

even ridiculous. According to them a major reason for why such concerns have been raised in much of the Western Europe was that it was a campaign initiated by European market players who were afraid of competition with U.S. companies: *"It's market! EU like any other country protects its market. In this case it is done with different regulations. Europe fears the expansion of the U.S. in its market."* (Int. No. 6). Concerns and risks or at least uncertainties are said to be more grounded when it comes to the use of GM crops in open environment. It could be said that the activities of experts do not reach further than showing some general interest in the issue without applying any strategic activity whatsoever.

The role of experts is problematic since there is no competing expertise, which would provide alternative strategies. Experts speak in one voice and they are not challenged by other experts. The lack of counter expertise is at least partly explained by the underdevelopment of biotechnology in Latvia. In these circumstances, it is questionable how competent in scientific and technical terms is the existing expertise, which enjoys monopoly situation in scientific, sociotechnical and political realms. It should be also mentioned that a part of expert argumentation does not rest on their original research but on secondary sources or even contested media discourses, often of foreign origin.

This means that monopoly expertise might be falsified and unaccountable and there are no knowledge and means for the public to counter check and contest the expert knowledge.[9]

Food **consumers** are also a group that potentially has a significant stake in how the GM food issue is tackled. However, according to market researchers the majority of Latvian consumers are still mostly concerned with the prices of food rather that nuances such as whether or not it contains GMOs.[10] True, a public official interviewed for this case study claimed, however, that it was the protection consumers' interests rather than the EU integration that was the most important concern for the government policy. According to this official the EU was only the second most important factor (Int. No 2).

The above emphasis on the interests of consumers could, however, be doubted since neither any of the interviewed officials nor the representative of a consumers' organisation mentioned any particular complaints or inquiries made by consumers with regard to GM food: *"People have not complained but that is because they are not aware [of the problem]. There are people who raise general question on what food is genetically modified and what is not."* (Int. No. 9) Consumers' organisations have organised some events to raise the general awareness on the issue of GM food and voiced a demand that state institutions ensure real enforcement of applicable legal

[9] This situation is typical in many large-scale technological projects in Latvia for instance building of pulp factory, human genome project and GMOs gradually emerging as a new case. Monopoly expertise provokes specific reactions among the public. Individuals and interest groups led by opinion leaders confronted with monopoly expertise and lacking autonomous knowledge and resources develop counter arguments based on moral claims and finger-pointing at powerful financial interests behind the expertise. Both partners in this dispute – monopoly experts and public challengers cannot prove their accountability.

[10] Pelāne, A. Plamše, K. „Ražotāji nealkst marķēt ģenētiski modificēto pārtiku". „Diena", February 12, 2001.

regulations. These activities, however, have not attracted active interest from a broader society.

Thus in Latvia there is no significant mobilization of consumer groups and NGOs against GMOs. On the contrary, consumers are rather mobilized through recent marketing campaigns of food and retail industries in favor of "healthy Latvian products" than "against GM foods". On the other hand, due to increasing media attention to GMO related issues, popular awareness in this respect is rising along with concerns. However, the general level of public information is still low. The survey conducted as a part of this case study showed that only 10% of respondents acknowledged they had sufficient information about use GM food in Latvia. Some other 26% said they had some information and 64% of questioned admitted they had little or no information about GM foods.

During the last two or three years, the media has published series of articles about GMOs. These articles generally raised the level of public information (a half of the survey respondents said that they had heard about GMO issues recently). In the meantime increasing media attention and alarmist tone without proper public discussions about the national GMO policy, available strategic choices and alternatives in this field contribute to public skepticism. Despite the lack of information, attitudes towards GM food in Latvia are quite negative – in our survey 71% of respondents said they would definitely or most likely refuse consuming such food, whereas 10% accepted it and 19% were uncertain.

In current situation it is difficult to access the role of **market organizations** (importers, retailers) in shaping GMO policy as well as their actual market operations with GM crops and foods due to fact that the enforcement of the declaration of GMO trade is not yet rigorously introduced. Market organizations appear not to have a distinct position or organizational strategies in this respect. On the other hand, the battle over consumer preferences in healthy and safe food (which in Latvia is closely associated with domestic origin and traditional products) and consumption of standardized conventional foods, which might include also GM products, has started. Large retail companies and supermarket chains try to play with both consumer strategies – preference of high quality, safe, traditional, ecologically produced food and consumption of more standardized, conventional and industrially produced food-stuff. Sales through large-scale retail networks might include sales of genetically modified products, which however are not labeled and controlled. Until May 2003 no retailers had applied to the Supervision Council for permission to distribute or produce genetically modified food. (Int. No. 8) No one has applied for a permission to grow genetically modified cultures in Latvia either.

Finally **the Supervision Council** for Genetically Modified Organisms, which strictly speaking is a state institution, includes several groups of interested agents from both governmental, educational/scientific and non-governmental institutions. So far the council has dealt mainly with administrative issues such as setting its agenda according to applicable legislation and reviewing opinions of other ministries on the issue.

4. Some policy process characteristics

With some qualifications, policy process in Latvia with regard to GM food can be subdivided into two phases. We call them the phase of "virtual ignorance" and the phase of "evolution". The phase of virtual ignorance lasted from the outset when the issue of GM food first appeared in 1980's till drafting of first public regulations in Latvia in 2000. In 2000 the evolution phase began and this basically included the gradual development of regulatory framework. This case analysis shows that also presently Latvia's policy with regard to GMOs finds itself in a gradual evolution.

The policy process has been characterized by the dominance of state and little input in terms of expertise or claims form the private sector. The key arena for the development of this policy is found in the formal agendas of state institutions ranging from ministerial departments to the Cabinet of Ministers. In difference from Latvia's transport and household waste policies, which have also been analyzed within the PubAcc project, the GMO policy has not seen any elements of crisis or triggering events, which would be important in terms of public accountability.

The GMO policy has also a very strong European dimension. The European Commission through Latvia's accession negotiations has been the key agenda setter in this area. The significant deficit of enforcement may be interpreted as a sign of low priority that Latvian state institutions actually assign to the GMO policy.

It hardly possible to predict whether any particular crises or triggering events can be expected in any foreseeable future that would push up public interest in the issue and enhance the relevance assigned to public accountability. No matter what the future will be, for the sake of stability, it would be advisable for policy makers and implementers to actually assess possible strategies if such a crisis indeed occurred.

5. Public accountability mechanisms and procedures

Public accountability relations in complicated sociotechnical issues can be classified according to deficit and dialogue models.[11] The deficit model in the public understanding of service and technology presumes a division between experts and non-specialists and separates lay-people from the deliberation process, thus strengthening the role of expertocracy. According to the dialogue model relations between science, technology and society change. In this case, technologies and expert credibility are seriously scrutinized from the point of view of their social, institutional and political construction. One could claim that the deficit model, which presumes reliance only on expert decisions and the exclusion of non-academic society, puts serious limits to public accountability.

The necessity to solve the complicated issues of technological risks requires an open dialogue between experts, researchers, industry, political decision-makers and the broader society. However, the implementation of the dialogue model is made difficult by the very construction of expertise. The situation and role of expertise in the field of

[11] Wieser, B (2002) The Politics of Information. Paper presented at the International summer academy of technology studies, 7-12 July 2002, Graz, Austria.
http://www.ifz.tu-graz.ac.at/sumacad/02/wieser.pdf Last accessed on June 12, 2003.

GMOs is similar to the situation, which has developed in Latvia, in another area of biotechnology, namely – human genome project. In the absence of the variety of expertise and given a rudimentary public debate, the dominant discourse is shaped by experts themselves many of whom are personally involved in project implementation and are not interested to promoting alternative views.[12]

Apart from these more general observations on the impact of expertise, the functioning of public accountability was different during the two phases of GM food policy. During the "virtual ignorance" phase, there was virtually non-existing interest in the issue except for narrow circle of experts. There was no demand side for public accountability. Hence no public accountability practices were employed.

During the "evolution" phase, EU accession driven regulatory development took place. Latvian policy makers were in the most clear sense accountable to the European Commission by way of accession negotiations. Public awareness on the issue of GM food slightly increased but still only limited demand for public accountability is present.

Two major accountability mechanisms in GMO policy are the procedure of adjusting Latvia's legislation to *acquis communautaire* and the Supervision Council for Genetically Modified Organisms and the New Food. This first mechanisms does not really enhance the government' s accountability vis-à-vis agents in Latvia. As in many other policy sectors, here the Latvian government is accountable to the European Union provided that Latvia wants to join it.

The Council is a mechanism that allows various agents to participate in the analysis and implementation of the GMO policy. It has 13 members. Out of these, two are from the Latvian Academy of Sciences, three are from the University of Latvia, one – from the Latvian Society of Genetics and Selectionists, and one – from the Institute of Organic Synthesis.[13] The rest are from different state administrative institutions. Thus from the institutional point of view there are some preconditions for open policy making.

Also the formal functions of the Council are such that in principle would promote public accountability. Here functions that involve spreading of information are particularly important. For example, the Council's functions are to inform consumers about the circulation of GMO and organize the international exchange of information. Another block of functions involve the use of expertise in handling various issues related to GMO. For example, the Council's functions are to give consultations to controlling institutions according to "scientifically-technological achievements",

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[12] Ādamsone, A (2003) Zinātnes un tehnoloģijas jautājumu publiskošana: Latvijas Genoma projekta sociālā konstrukcija mēdijos (The Publicity of Science and Technology Issues: the Social Construction of Latvia's Genome Project in the Media). Master's theses. University of Latvia, Faculty of Social Sciences, Department of Sociology. Riga.

[13] The Cabinet of Ministers. The Statute of the Supervision Council for Genetically Modified Organisms, Regulations No. 322, adopted on September 19, 2000. (Ģenētiski modificēto organismu uzraudzības padomes nolikums.) "Latvijas Vēstnesis", September 22, 2000. Section 4.
The Cabinet of Ministers. Amendments to the Statute of the Supervision Council for Genetically Modified Organisms, Regulations No. 322 of 19.09.2000. Regulations No. 288, adopted on July 02, 2002. (Grozījumi Ministru kabineta 2000. gada 19. septembra noteikumos Nr. 322 "Ģenētiski modificēto organismu uzraudzības padomes nolikums") "Latvijas Vēstnesis", July 12, 2002.

review the application of the users of GMO and give advisory opinions based on experts' advice. Moreover it is the core function of the Council to co-ordinate the activities of various supervisory bodies and co-ordinate necessary activities in case of accidents related to the use of GMO.[14] However, the Council has worked for a relatively short time and therefore it is still not possible to assess fully its importance in ensuring public accountability. Also the Latvian Food Centre has organized a few activities such as seminars and thematic press conferences on GMO issues.

It is also important to note that there is no governmental strategy paper or action plan in the area of GMOs. This means that there is no document that would actually explain and substantiate the stance of the Latvian government in this area. Thus citizens, even if interested, cannot readily find substantial reasons for why the government policy has taken a certain shape.

With regard to technical capacity to ensure accountability, currently in Latvia there are no laboratories fully suitable for controlling samples of food to detect the level and presence of GMO elements. This lack of technical capacity actually does not allow the government to be accountable about the possible use of GM crops and/or food in Latvia.

6. Outcomes

The GMO policy in Latvia is virtually imported and this is done in at least two major respects. First, it is imported through the formal requirements of the European Union. Second, it is imported in the sense that technologically and scientifically the issue is developed outside Latvia.

Some of the interviewed public officials understood their public accountability in a very direct sense. Namely, since they were asked to tell about their work in the area of GMOs, they were prepared and willing to do so. Hence they viewed themselves as being accountable. Meantime some of those officials who were perfectly competent and knowledgeable about the policy in question admitted that interest from the broader public about their work is not very common (Int. No 7 and 8).

It appears that in the case of GMOs one can speak primarily of the ability of state institutions to be accountable for their activities rather than of a real and on-going process of public accountability. Indeed since legal regulations and implementing agencies possess a number of formal public accountability features, one could expect that, in the event of crisis, they might be able operate in an accountable manner. One might speak here of a phenomenon of *sleeping* public accountability.

Certainly, when speaking to some representatives of NGOs, one can hear rather strongly worded demands for improved policy and more accountability: *"There is a lot of GM food in Latvia – margarine, ketchup, etc. But it's not marked! We ask them (public officials) but they say that they cannot control it. It's very sad. Consumers have the right to know what they buy!"* (Int. No 9) Presumably such demands should be backed up by on-going activities and perhaps even some advocacy programs on

[14] The Cabinet of Ministers. The Statute of the Supervision Council for Genetically Modified Organisms, Regulations No. 322, adopted on September 19, 2000. (Ģenētiski modificēto organismu uzraudzības padomes nolikums.) "Latvijas Vēstnesis", September 22, 2000. Section 2.

behalf of NGOs to produce any significant reactions from state institutions. It might take a certain pressure to activate the *sleeping* accountability so that it turns into functioning accountability.

It is probably this lack of functioning public accountability, which has allowed for the poor enforcement of control measures in the are of GMOs. Here public accountability is most likely an intermediate variable between mobilized (or, on the contrary, passive) interest groups on the one hand and poor policy implementation on the other hand.

III. DISCUSSION AND CONCLUSIONS

In the field of GMOs in Latvia, some experts pronounce a risky opinion that scientific expertise complimented with legislation forms a sufficient base for accountable GMO policy. GMO policy in Latvia is a growing matter, which gradually starts reflecting a conflict between expert knowledge and lay people knowledge, between experimental and moral argumentation.

From the political point of view, there are no mechanisms how these legitimate population worries and concerns about the impact of GMOs on health and nature can find a way in political deliberation. Since these concerns have not really motivated people to embark on focused and sufficiently active policy influencing activities, scientific argumentation has always been more powerful then popular concerns and moral clams.

In the situation of monopoly expertise and absence of counter-expertise, the actual level of sociotechnical competence cannot be proven. Experts are chosen and defined rather through relations to formal organizations and public standing than competence. It is even difficult to differentiate financial interests from expertise. The linkage between the two remains unclear. The absence or unavailability of counter-expertise does not form a requirement to make expert work procedures explicit and conclusions transparent, expert decisions often remain disguised and enclosed within committees.

In the context of the European Union, it should be noted that policy making as a path dependant repetition risks to repeat the setbacks and shortcomings of policies implemented elsewhere and narrows the capacity of national policy makers to think proactively about emerging opportunities and risks. It might limit political ambitions to propose responsible policy alternatives, which would deal with new challenges.

A conclusion formulated with some precaution could be that policy path dependence during the accession process limits political innovation and the way how politicians perceive and interpret public accountability. The creation of a formal institutional framework is often considered as the only mechanism to achieve accountable governance.

One can conclude that the case of GMOs in Latvia, in itself is still in the initial phase of development. There have been no applications asking permissions to introduce GM field trials and suspected GM foods on the market are not labeled. Meantime the problem may exist in a hidden way as unofficial and unregistered trade of GM food and unregistered field use of GM crops.

The use of GMOs is still a relatively new issue on Latvia's public agenda. While there is some domestic demand for a certain regulatory policy in this area, the current shape of the policy is almost fully determined by Latvia's integration in the European Union.

Public participation levels in the formulation and implementation of GMO policy in Latvia are low. Also the importance of the issue is perceived as moderate. However, interviews and media reports suggest that there is a potential for larger public interest

in the issue. In principle, people are concerned with the safety aspects of GMF but for the time being other aspects are perceived as more important such as the price of food.

Largely due to the EU policy, Latvia has the institutional framework that is necessary for the effective implementation of GMO policy. Latvia also has necessary analytical resources and is about to acquire technical equipment to be able to supervise the circulation of GMO in general, and GMF in particular.

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