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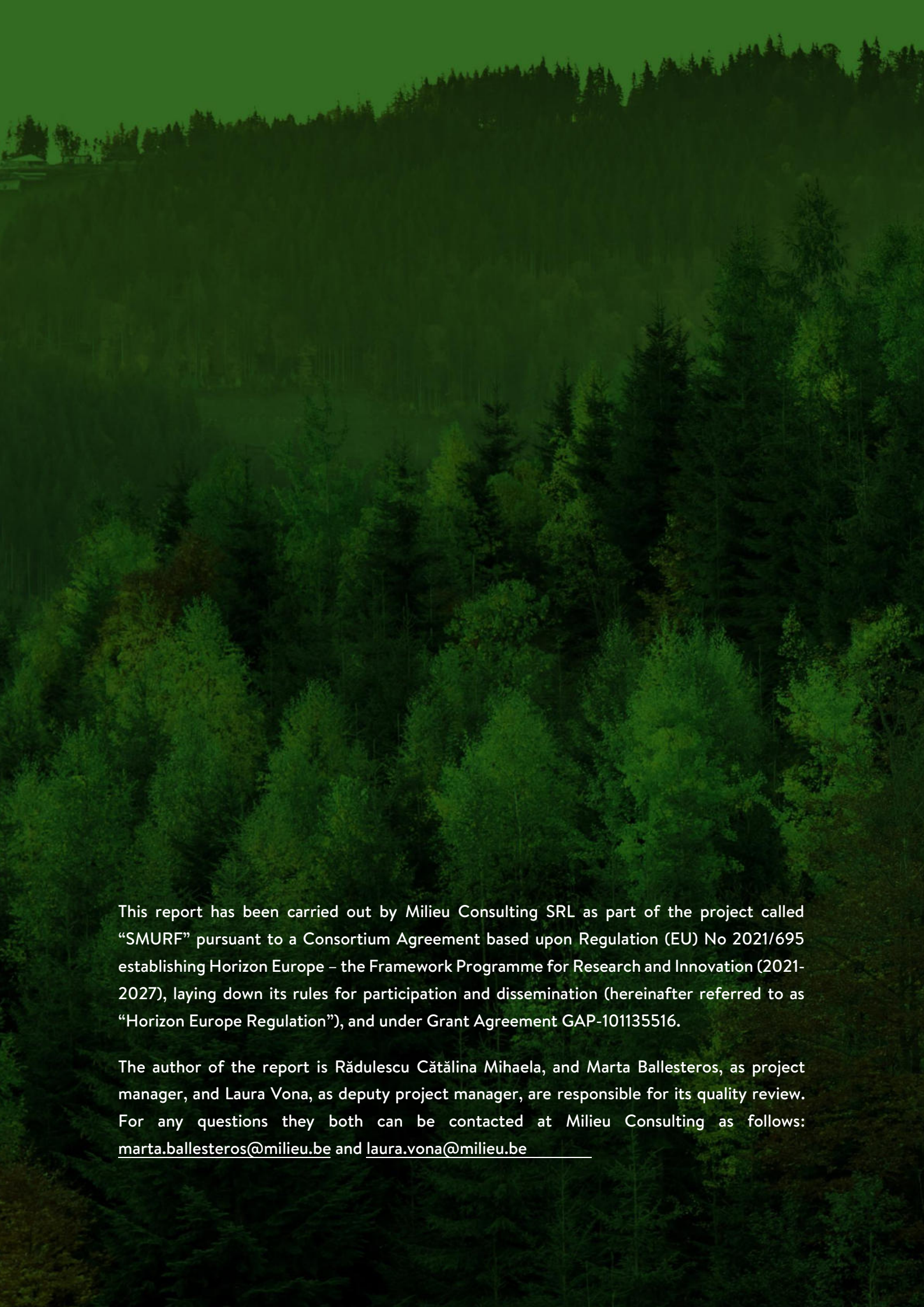
Legal and regulatory framework applicable to Small Forest Owners and Sustainable Forest Management

Country Fact Sheet
Romania

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THE FOREST OWNERS' PROJECT

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The author of the report is Rădulescu Cătălina Mihaela, and Marta Ballesteros, as project manager, and Laura Vona, as deputy project manager, are responsible for its quality review. For any questions they both can be contacted at Milieu Consulting as follows: marta.ballesteros@milieu.be and laura.vona@milieu.be

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Acronyms used

FFN – National Forest Fund (Fondul Forestier Național)

RFN – Registrul Forestier Național (National Forest Registry)

FSC – Forest Stewardship Council

PEFC – Programme for the Endorsement of Forest Certification

INCDS – Institutul Național de Cercetare-Dezvoltare în Silvicultură (National Institute for Research and Development in Forestry)

RA APPS – Regia Autonomă Administrația Patrimoniului Protocolului de Stat

ASFOR – Asociația Forestierilor din România

GD – Government Decision

OUG – Ordonanță de Urgență a Guvernului (Emergency Government Ordinance)

SUMAL – Sistemul de Urmărire a Materialelor Lemnoase

ECHR – European Court of Human Rights

ANCPI – Agenția Națională de Cadastru și Publicitate Imobiliară

R.F.O.A. – Romanian Forest Owners Association

Legal and regulatory framework applicable to Small Forest Owners and Sustainable Forest Management (SMURF) - WP2

Executive Summary

Romania's forest governance is primarily structured around the *Forestry Code (Legea nr. 331/2024)*, which promotes sustainable forest management (SFM), biodiversity conservation, and legal compliance with EU directives. Key objectives include preserving forest continuity, supporting ecological functions, and enforcing transparent and sustainable exploitation through institutions like the Ministry of Environment, Waters and Forests and the National Forestry Guard. Supplementary laws regulate environmental protection, forest control, and sectoral responsibilities.

Romania's forests span nearly 6.9 million hectares, with ownership almost evenly divided between the state (45.5%) and private entities (54.5%). Public forests are managed by Romsilva, while private forests are fragmented, with many plots under 1 hectare. Ownership is proved through cadastral registration within the National Agency for Cadastre and Land Registration and, through registration in the National Forest Registry (RFN) which is mandatory. The fragmented nature of private ownership poses management and compliance challenges.

Forest owners have the right to harvest, receive financial compensation, and make decisions on forest management practices within limits established by law. Rights differ based on the size of holdings, with additional incentives and harvesting allowances for properties under 10 ha. Obligations include registration in the RFN, compliance with forest management plans, reforestation, and entering into monitoring contracts. Forest contractors must be certified and are bound by professional training and sustainability requirements.

SFM is central to Romanian forestry policy, with legal provisions mandating forest management plans, ecosystem service valuation, and protective functions. Certification through FSC is currently active, and a national PEFC-endorsed system is under evaluation. Special provisions exist for virgin and quasi-virgin forests, with ownership subject to buyback by the state to ensure conservation.

Forest owners benefit from compensations, subsidies, and fiscal incentives if they deliver ecosystem services or adhere to management obligations. Funding is channeled through mechanisms like the Forest Conservation and Regeneration Fund. The forest land market is constrained by legal and ecological limitations, and land use changes are strictly regulated. Tax registration fees are modest but required for ownership recognition, with different rates for individuals and legal entities.

Key Recommendations

- **Simplify access to support schemes** by reducing administrative burdens and harmonizing forestry and cadastral records.
- **Encourage forest land consolidation** to address fragmentation and enable efficient management.
- **Expand educational and advisory programs** for small forest owners to improve legal compliance and sustainable practices.
- **Accelerate the implementation and recognition** of national forest certification systems.
- **Strengthen monitoring and enforcement** mechanisms, especially concerning illegal logging and land conversion.

Introduction

This is a Horizon project with a strong research approach. The name of the project is 'Sustainable Management models and value chains for small Forests' known as SMURF with the reference HORIZON-CL6-2023-CIRCBIO-01.

The general objective is to provide an analysis of the legal and regulatory framework in EU Member States applicable to small forest owners (SFO) in their practices aiming to Sustainable Forest Management.

The specific project objectives are:

1. Prepare a report on the legal framework on SFO for most EU Member State.
2. Identify the basic legislation regulating SFO and the specific articles setting rights and obligations and *provide the links* to those basic and articles.
3. Define the rights and obligations for SFO in EU Member States.
4. Define the legal framework for the economic activity of SFO in EU Member States.
5. Identify the **main legal limitations or barriers** for SFO in EU Member States.
6. Identify **needs for legal reforms and propose specific legal improvements**, when considered necessary.
7. Prepare a comparative analysis of the legal framework SFO in the EU Member States.

These guidelines provide the basic information for the elaboration of the report on legal framework applicable to Small Forest owners/holders. It is complemented by a pilot report showing as a model to show the level of depth of the analysis.

When using the term "legal framework" we consider:

- The organizational model of forestry and the forest value chain.
- The institutional framework, identifying the distribution of competences among the different administration levels (European, national, regional and local) and administration sectors (agriculture and rural development, environment, industry, interior, economics and others).
- The regulatory framework, identifying laws and regulations that affect forestry and the forest value chain. The key articles that set basic rules for forestry will be explicitly referred and translated into English.

The analysis will be focused on factors that affect the participation of forest holdings in the market. There is a particular interest in identifying barriers, obstacles and measures or instruments that have had a significant positive impact in the present functioning of the forest markets.

The analysis will describe the nowadays situation of the framework, although a contextual and short reference of the origin and evolution of the framework when needed for a good understanding will be included.

The analysis will consider the national legislation and will only refer to the regional legislation as a way of example to confirm the national legal framework or to show that in some regions the situation may be rather different.

The analysis will take into consideration the forest sector legislation, but not only, because the main barriers and legal limitations might be derived from the inadequacy of other sectoral laws (societal, fiscal, real state and ownership, cadastral, insurances) or requirements in some pieces of national environmental legislation. It will refer to Nature or Biodiversity Conservation law and to the Environmental Impact Assessment legislation while it might also refer to relevant agriculture legislation.

1. Basic legal and regulatory framework applicable to small forest owners

Context to the legislation

Romania's forest legal framework recognises sustainable forest management, biodiversity conservation, and compliance with international commitments as key objectives. The **Codul Silvic** (Forestry Code approved by Law no 331/2024) regulates the National Forest Fund (Fondul Forestier Național – FFN) and defines forest management principles (Art. 6), including territorial integrity, continuity of forest ecosystems, and resilience to climate change. The law aligns national policies with EU forestry directives. It also establishes regulations for sustainable forest management, ensuring the protection and conservation of forest lands (Codul Silvic, Article 1).

Basic legal instruments

Key legal instruments include:

- **Codul Silvic (Forestry Code) approved by Law no 331/2024,** published in the Official Monitor on January 9 2025, and enforced since 13 January 2025 – comprehensive legislation covering forest ownership, management, and use from hereon, The Forestry Code.
- **OUG 57/2007** – Environmental protection regulations impacting forestry activities.
- **OUG 195/2005** – Environmental protection law
- **Legea 171/2010** - Regarding the establishment and sanctioning of forestry contraventions
- **OUG 59/2000** - regarding the Status of Forestry Personnel
- **EGO 77/2021** - regarding the establishment of the National Forestry Guard

The Forestry Code requires mandatory forest management planning, sustainable harvesting practices, and legal protections for forest ecosystems. Institutions like the Minister of Environment, Waters and Forests (the Central Public Authority for Forestry, *The Authority in the Draft Law 244/2024*) and The National Forestry Guard (Garda Forestieră Națională) enforce forest regulations.

Old Secondary legislation remains enforced until the new legislation requested by the New Forestry Code approved by Legea nr. 331/2024 is adopted. The Code focuses primarily on:

- Enhancing forest protection
- Establishing green belts around cities
- Strengthening penalties against illegal logging

This legal framework includes provisions for:

1. Sustainable forestry management principles (Art. 6).
2. Forest ownership structures (Art. 7).
3. Forest management plans (Art. 63).
4. Controls and enforcement by the National Forest Guard (Art. 11).

At the time of writing this report a draft project of law is posted on the website of the Minister of Energy[1] providing **Derogations for National Security Hydropower Projects in Protected Areas.**

The Romanian legal framework has introduced significant exceptions to existing environmental and forestry protections to accommodate hydropower projects deemed essential for national security. These derogations, enacted through specific legislative provisions, allow such projects to be developed within highly sensitive areas of the national forest and nature conservation network, altering the traditional balance between conservation and development.

Article 11 of the special law permits, by derogation from Articles 22(5), 22(71), and 27(1) of GEO no. 57/2007, the development of national security-related hydropower infrastructure even in *integral protection zones* and *buffer zones* of **national and natural parks.** Additionally, it authorizes the **temporary or permanent removal** of land from agricultural use or from the **National Forest Fund (FFN)** for such projects, regardless of whether the land is located within national or international protected areas.

Article 12 further enables the **modification of protected area boundaries**, provided that, as of 29 June 2007, the area had already been subject to governmental or presidential approvals for hydropower development. The entire scheme of the hydropower facility, including access roads and energy evacuation infrastructure, must lie outside the newly redrawn protected area. A **100-meter military buffer zone** is imposed between the protected area and the hydropower installation, classified as a restricted military area.

Article 13 precludes future designation of *strict protection*, *integral protection*, or *sustainable conservation* zones that would overlap either existing hydropower structures or the 100-meter buffer zone around them. This effectively grants **permanent immunity** to such installations from future conservation constraints under park management plans.

These provisions significantly alter the regulatory landscape for protected areas, introducing precedence for infrastructure development in areas previously governed by strict conservation rules. While framed as necessary for national security, these derogations raise concerns about **long-term ecological fragmentation, consistency with EU nature directives**, and **the risk of setting precedents for future intrusions** into protected environments.[2]

[1] Lege privind unele măsuri necesare pentru implementarea proiectelor de securitate națională în domeniul hidroenergiei – Ministerul Energiei

[2] According to one consulted forest-owner association, the Romanian legal framework is perceived as overly bureaucratic and excessively protective, creating a situation in which private forest owners face numerous obligations and restrictions but have limited practical influence over management decisions. The association argues that key decisions are concentrated in the hands of forest administrators and public authorities, which, in their view, discourages active ownership and does not necessarily prevent illegal logging. However, it has to be considered that certain technical and ecological decisions must legally remain with certified forest administrators, as many owners may not have the expertise required for sustainable management. Illegal logging is primarily linked to corruption and weak enforcement, rather than to the degree of owner involvement in decision making. Private

Basic Regulatory framework

Secondary legislation

- **GD 715/2017** – Implementation of forestry strategies.
- **GD 229/2009** - on the reorganization of the National Forest Administration - Romsilva and the approval of its organization and functioning regulations – valid 90days after entering into force of the new Forestry Code
- **Order of Ministry no 1540/2011** - issued by the Romanian Ministry of Environment and Forests, approves the "Instructions regarding the deadlines, methods, and periods for the collection, removal, and transportation of timber
- **GD 497/2020** - for the approval of the Norms regarding the origin, movement, and marketing of wood materials, the regime of wood material storage spaces and round wood processing installations, as well as those concerning the origin and movement of wood materials intended for the owner's personal use, and certain measures for the application of the provisions of Regulation (EU) No. 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the mark
- **GD 46/2023** - regarding the organization, functioning, and allocation of positions for the National Forestry Guard and forestry guards
- **Order of Ministry no 118/2021** - issued by the Romanian Ministry of Environment and Forests for the approval of the Methodology regarding the organization and functioning of the SUMAL 2.0 applications, the obligations of SUMAL 2.0 users, the structure and method of transmitting standardized information, and the costs of services for issuing accompanying notices for the situations provided in Article 11 of the Norms concerning the origin, movement, and marketing of wood materials, the regime of wood material storage spaces and round wood processing installations, as well as those regarding the origin and movement of wood materials intended for the owner's personal use, and certain measures for the application of the provisions of Regulation (EU) No. 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market, approved by Government Decision No. 497/2020
- **Order of Ministry no** 2533/2022, 2534/2022, 2535/2022, 2536/2022 and no 2537/2022 issued by the Romanian Ministry of Environment and Forests, concerning technical norms for forestry works
- **Order of Ministry no 3397/2012** issued by the Romanian Ministry of Environment and Forests, regarding the establishment of criteria and indicators for identifying virgin and quasi-virgin forests in Romania
- **Order of Ministry no 694/2016** issued by the Romanian Ministry of Environment and Forests for the approval of the Methodology regarding the permanent removal, temporary occupation, and exchange of land, and the calculation of financial obligation
- **GD 1076/2009** for the approval of the Regulation on the guarding of the forest fund

associations of forest owners may hire their own specialists, thereby assuming greater responsibility for forest condition and management outcomes.

To note: Consultations with forestry associations from Romania took place in September 2025. Their input has been addressed and included within this report ..

- **Order of Ministry no 2525/2016** issued by the Romanian Ministry of Environment and Forests regarding the establishment of the National Catalogue of Virgin and Quasi-Virgin Forests in Romania.

2. Governance and institutional framework

Distribution of competences between the State and Regional authorities.

- **According to the legal framework, what are the relevant competences and responsibilities regarding decisions on forest management and forest management practices at the different State level (national, regional, municipal) in your country?** Please describe the situation stating the legislation and relevant provisions.

Legal background

The New Forestry Code[3] approved by Law no. Legea nr. 331/2024 provides the basic framework for the distribution of competences on forest policy in Romania.

National competences

- **National Authority (Ministry of Environment, Water, and Forests)**: Sets policies, oversees FFN, and approves national strategies. It functions as a specialised body of the central public administration and it represents the state authority in the field of forestry, with roles in implementation, regulation, coordination, and control (Article 10 of the New Forestry Code). Described as *The Authority* in the New Forestry Code.
- **National Forest Guard (*Garda Forestieră Națională*)**: Ensures compliance with forestry regulations and monitors FFN activities (Art. 11 of the New Forestry Code). It is established as a public institution with legal personality, set as a specialised body of the National Authority, subordinated to it, having as its main responsibility the enforcement of legislation in the fields of forestry and hunting.
- **The National Forest Administration – Romsilva**, responsible for the sustainable and unified management of the state-owned forest. A state-owned enterprise managing publicly owned forests, Romsilva is tasked with the conservation, regeneration, and sustainable exploitation of forest resources. It also manages hunting and fishing activities to ensure they contribute to biodiversity conservation, and is a manager of National Parks. It operates under the authority of the Ministry of Environment, Waters, and Forests, according to the GD 229/2009.

  Romsilva, the Forest Guard, are under a reform procedure started by Minister of Environment, Waters and Forests[4], as a result of the criticism of the civil society and European Commission related to the lack of transparency and conflict of interests in these structures as well as due to overlapping competence with other governmental agencies.

Regional competences

[3] The forestry Code approved by Law no 331/2024 https://legislatie.just.ro/Public/DetaliiDocumentAfis/296115

[4] https://www.capital.ro/romsilva-va-fi-reorganizata-integral-guvernul-anunta-reforme-majore-in-sectorul-silvic.html
https://www.news.ro/social/agent-green-reforma-romsilva-care-include-eliminarea-conflictelor-de-interese-nu-este-o-discutie-ci-o-necesitate-padurea-romaniei-este-in-declin-iar-silvicultura-in-regres-1922401312002023012320980236
https://wwf.ro/paduri/reforma-romsilva-trebuie-revizuita/

The National Forest Guard has 8 regional subdivisions: Brașov, Suceava, Ramnicu Vâlcea, București, Oradea, Timișoara, Ploiești, Focșani, each one competent for a specific area established by EGO 77/2021[5].

Regional and Local Authorities: These administer forestry districts (*Ocoale Silvice*) and are responsible for forest management and advisory services (Article 12 of the New Forestry Code).

Local/municipal competences:

At the local level, the management of the forests is ensured by local forestry districts (*Ocoale silvice). (Article 33 of the New Forestry Code).*

Administration of the state-owned National Forest Fund is ensured at the local level by:

- **Romsilva local forestry administration**, organised in one department in each county[6] (41 local departments) and each department has several local forestry districts or state forest management units responsible for administering and managing public forests
- **Autonomous Administration of State Protocol Patrimony (RA APPS):** In Romania, RA-APPS is a government agency responsible for managing state protocol assets, including real estate properties used by public officials and institutions. The agency oversees the administration, maintenance, and leasing of these properties. The forests included in its patrimony are managed at the local level by the forestry administration established by RA APPS (Article 32 paragraph 6 of the New Forestry Code).
- **The National Institute for Research and Development in Forestry Marin Dracea (INCDS)** through its stations and experimental bases, assimilated to state forestry districts
- **State educational institutions** with a forestry profile, through their own experimental and teaching bases, exclusively for the lands they manage.
- **Private forestry districts (*ocoale silvice de regim*)** can also provide minimal services for isolated lands within the National Forest Fund (FFN) that are state public property, based on a contract with Romsilva. In this context, "ocoale silvice de regim" refers to *private forestry districts or management units* that operate under a specific regime, distinct from state forestry districts.

[5] The National Forest Guard regional departments, https://gfn.gov.ro/gfn/organizare/

[6] Romsilva regional departments https://www.rosilva.ro/rnp/organizare__p_58.htm

Administration/forestry services for lands within the National Forest Fund (FFN) that are **public property** of administrative-territorial units is ensured at the local level:

- **Through their own private forestry districts (*ocoale silvice de regim proprii*):** These can be established by administrative-territorial units that own lands within the FFN or by associations of such units. They operate as autonomous administrations of local interest with an exclusive forestry profile.
- **Based on contracts with state forestry districts (*ocoale silvice de stat*) or other private forestry districts (*ocoale silvice de regim*):** These private districts also function as autonomous administrations of local interest.

Administration/forestry services for lands within the National Forest Fund (FFN) that are private property:

- **Private forestry districts** (*ocoale silvice de regim*) are responsible for carrying out administration or forestry services, for lands within the FFN that are the private property of individuals and/or legal entities. Private forestry districts (ocoale silvice de regim) are legal entities operating as **associations** based on Government Ordinance No. 26/2000, amended by Law No. 246/2005, or as **companies regulated by Law** No. 31/1990, republished, with subsequent amendments and completions, or based on contracts with other forestry districts.
  The private forestry districts can also be established by one or more owners or by one or more associations of owners of lands within the FFN.

Forest coordination and advisory bodies

Academy of Agricultural and Forestry Sciences "Gheorghe Ionescu-Șișești" (Academia de Științe Agricole și Silvice "Gheorghe Ionescu-Șișești")

This academy serves as a leading scientific forum for agricultural and forestry sciences in Romania. It contributes to the development of forestry policies and practices through research, education, and advisory services.

Romanian Association of Forest managers (administrators) (Asociația Administratorilor de Păduri din România)

This professional organization represents the interests of private and public forest managers. It provides a platform for collaboration, knowledge exchange, and advocacy to promote sustainable forest management across various ownership structures.

The National Council for Forestry (CNS) (Article 15 of the New Forestry Code) is set as follows:

- **Establishment and Organization:**
  - The CNS is established as a professional organization without legal personality.
  - Its creation and the regulations governing its organization and functioning are to be approved by a Government decision, upon the proposal of the Authority, within 120 days from the effective date of this law.
- **Functions of the CNS:**
  - The CNS develops recommendations, proposals, and consultative opinions for the Authority concerning policies, strategies, and other programmatic documents, as well as relevant international, national, and European Union normative acts in the forestry sector.
  - It ensures the correlation of these documents without infringing upon the legal prerogatives of authorities, institutions, and other legal entities responsible for forests and/or the forestry sector.
- **Professional Ethics Oversight:**
  - The CNS analyzes the practice of the forestry profession to ensure ethical conduct and adherence to professional standards by forestry personnel, excluding those with civil servant status.

While the above provisions of the new Forestry Code aim **to enhance the governance and ethical standards** within Romania's forestry sector, corruption among enforcement officials or within forest governance bodies remains a serious challenge in Romania's forest sector, particularly within enforcement and governance institutions. Investigative reports and official audits have revealed instances where **local forest guards and government officials were complicit or directly involved in illegal logging activities.** The Romanian Court of Accounts' 2021, 2022, 2023, audit noted institutional failures, including negligence and insufficient monitoring by the Forest Guard and Romsilva[7].

A 2020 report by the NGO *Agent Green* and *Environmental Investigation Agency (EIA)* found that **up to 20 million cubic meters of wood were being harvested illegally every year**, and identified **collusion between officials and logging firms** as a critical enabler[8].

Furthermore, a **2020 GAP analysis** published by **WWF under the EU Forest Crime Initiative** highlighted **systemic risks linked to corruption, lack of transparency, and poor inter-agency coordination** in Romania's forestry sector. The report stressed that **illegal logging cases often evade prosecution** due to inadequate enforcement, interference by vested interests, and limited legal accountability mechanisms[9].

[7] https://www.curteadeconturi.ro → Go to *Publications* > *Audit Reports* > Search "forests" or "păduri" (only available in Romanian), https://stirileprotv.ro/stiri/actualitate/procurorii-dna-au-descins-la-garda-forestiera-suceava-cinci-angajati-sunt-suspectati-de-fapte-de-coruptie.html

[8] Stealing the last forests, Austria's largest timber company, land rights and corruption in Romania, EIA – Environmental Investigation Agency, https://wwfint.awsassets.panda.org/downloads/eia_2015_report_final_web_v2.pdf

[9] EU Forest Crime Initiative. Gap Analysis: Romania.

Key representation organisations of the forest sector

According to the Forestry Code provisions, the Forest owners are represented by:

Public Sector: Romsilva manages state-owned forests (Article 32 of the New Forestry Code).

Private Sector: Associations of forest owners (Articles 8 and 9 of the New Forestry Code).

Scientific and Educational Institutions: INCDS Marin Drăcea and universities contribute to policy development and innovation.

Forest municipalities: Local administrative units, such as communes and towns, own and manage forested areas within their jurisdictions. These municipalities are responsible for the sustainable management of these forests, often collaborating with forestry professionals to develop and implement management plans.

Forest industry: Romania's forest industry is a significant contributor to the national economy, encompassing activities from timber harvesting to wood processing and furniture manufacturing. The sector includes numerous **companies** specializing in logging, sawmilling, and the production of wood-based products. Associations such as the **Romanian Forestry Association** (*Asociația Forestierilor din România* - ASFOR[10]) represent these companies, advocating for sustainable forestry practices and industry standards.

Forest clusters: Forest clusters in Romania are collaborative networks that unite various stakeholders in the forestry sector, including businesses, research institutions, and public authorities. These clusters aim to promote innovation, enhance competitiveness, and support sustainable development within the industry. One notable example is the PRO WOOD Regional Timber Cluster[11], established in 2010 in Sfântu Gheorghe, Covasna County. PRO WOOD seeks to create a broad partnership to support enterprises in timber exploitation, semi-finished wood products, and the furniture industry in central Romania. The cluster manages or partners in numerous European projects, such as Bio Wood Net, a European project worth €4 million, and initiatives focusing on internationalizing products from Romanian timber industry firms.

Forest contractors: Forest contractors are specialized professionals or companies responsible for executing various forestry operations with economic objectives, including logging, transportation, and silvicultural activities. Their expertise is essential in implementing forest management plans that aim to balance ecological sustainability with economic objectives.

[10] The Romanian Forestry Association, https://asfor.ro/
[11] PRO WOOD Regional Timber Cluster, https://prowood.ro/

Key Roles of Forest Contractors:

- **Logging:** Forest contractors conduct timber harvesting using methods such as clear-cutting, selective logging, shelterwood cutting, and seed tree cutting. Each technique is chosen based on specific forest management goals and the ecological characteristics of the area.
- **Transportation:** After harvesting, contractors manage the transportation of timber from the forest to processing facilities. This involves planning and constructing access roads, as well as utilizing appropriate machinery to minimize environmental impact.
- **Silvicultural Operations:** These include activities aimed at promoting forest health and regeneration, such as tree planting, thinning, prescribed burning, and pest management. Silvicultural practices are designed to enhance forest productivity, biodiversity, and resilience.

Article 101 of the New Forestry Code aims to ensure that timber exploitation is performed by qualified and certified entities, promoting sustainable forest management and compliance with national forestry standards by:

- **Authorized Legal Entities:** Timber exploitation is to be carried out exclusively by certified legal entities.
- **Certification Process:** The certification of these legal entities for timber exploitation activities is conducted by the Certification Commission, which operates within a nationally recognized employers' and professional association in the forestry sector.
- **Regulatory Framework:** The Certification Commission functions based on the "Regulation on the approval of criteria and procedures for certification/recertification, organization, operation, and composition of the certification commission for economic agents in timber exploitation[12]," approved by an order from the head of the Authority.

Forest Professionals:

Article 16 of the New Forestry Code establishes **Education responsibilities on the Authority (Ministry of Environment, Water, and Forests):**

- **Educational Initiatives:**
  - The Authority is obligated to undertake specific actions, through appropriate means and methods, for the following purposes:

    a) Developing forestry awareness.

    b) Providing forest owners with a minimum level of professional knowledge.
- **Partnerships in Education:**
  - The Authority shall establish educational partnerships with service providers in education and research-development to implement programs that encourage

[12] ORDER No. 1,106 of November 21, 2018, for the approval of the Regulation on the organisation, operation, and composition of the Certification Commission for economic operators in the field of forest exploitation, as well as the certification criteria for forest exploitation activities as further amended and modified.

continuous professional development for forestry personnel and forest owners, in compliance with European and national state aid regulations.

- **Support from Specialized Workforce Beneficiaries:**
  - Beneficiaries of specialized labour in occupations specific to the forestry sector may support professional training in forestry at any level through scholarships for training or internship programs, including dual education systems.

These provisions aim to enhance the professional competencies within the forestry sector, ensuring that both personnel and forest owners are equipped with the necessary knowledge and skills to promote sustainable forest management.

Professional Forest managers are responsible for the sustainable management of forests, balancing ecological, economic, and social factors. Their duties encompass planning and overseeing forestry operations, ensuring compliance with environmental regulations, and promoting sustainable practices. They work in various settings, including government agencies, private industry, conservation groups, and urban parks. Educational requirements typically include a bachelor's degree in forestry or a related field.

Silviculturists specialize in the growth and cultivation of trees, focusing on the establishment, growth, composition, health, and quality of forests to meet diverse needs and values. They develop and implement silvicultural prescriptions, which are planned series of treatments designed to change current stand structure and composition to meet specific management goals.

Urban Foresters manage trees and green spaces in urban environments, enhancing the urban landscape and improving environmental quality. Their responsibilities include planning and planting urban trees, maintaining tree health, and engaging with the community to promote the benefits of urban forestry. They often work for municipalities, non-profit organizations, or as consultants.

Concerning the **forest contractors**, the legal entities must be certified, but based on formal professional specialization. Article 101 paragraph 7, the professional association within which the Certification Commission operates is obligated to organize professional training courses for the administrators of economic agents and specialized personnel, in order to increase the level of knowledge of legislation and rules for timber exploitation. The duration of these courses must be at least 8 hours per year.

This provision emphasizes the responsibility of professional associations in the forestry sector to ensure continuous education and training for those involved in timber exploitation, aiming to enhance compliance with legal standards and sustainable practices.

Forest certification:

Forest certification in Romania is primarily facilitated through the Forest Stewardship Council (FSC). As of 2018, FSC was the only active forest management certification scheme in the country.

In July 2024, the Romanian Forest Certification System was submitted to the Programme for the Endorsement of Forest Certification (PEFC) for assessment. The public consultation period for this assessment ran from July 15 to September 13, 2024. This submission indicates Romania's efforts to expand its forest certification schemes to include PEFC, aiming to further promote sustainable forest management practices within the country[13]. The assessment process is currently ongoing, and the system must pass this process and be approved by the PEFC General Assembly to maintain its endorsement.

Public enterprises

The National Forest Administration – Romsilva is a Romanian state-owned enterprise operating under the authority of the Ministry of Environment, Waters, and Forests. Its primary mission is the sustainable and unified management of state-owned forests, ensuring their contribution to environmental improvement and the national economy through the provision of timber, other forest products, and specific forestry services.

Forest Management and Conservation

Romsilva manages approximately 3.13 million hectares of state-owned forests, representing about 48% of Romania's total forested area. In addition to forest management, Romsilva oversees 22 national and natural parks.

Forest cooperatives

According to article 8 from the new Forestry Code, landowners may form associations by establishing legally recognized forest owners' associations, in accordance with Government Ordinance No. 26/2000 on associations and foundations, approved and amended by Law No. 246/2005, as well as cooperatives.

The establishment of the associative forms mentioned in paragraph (1) aims to:

a) consolidate property holdings;

b) enhance the economic efficiency of marketing forest products and services;

c) establish private forest districts;

d) increase the capacity to absorb funds, regardless of their source;

e) represent landowners' rights in relation to authorities;

f) represent landowners in relation to authorities and similar associations established at the European and international levels.

The Romanian Forest Owners Association (R.F.O.A.) advocates for the rights of these private forest owners, emphasizing the importance of restituting entire forested surfaces to juridical persons, such as traditional communal ownership forms. The association underscores that the Romanian Constitution and restitution laws, including Law No. 18/1991 and Law No. 1/2000, guarantee the right to inherit and reclaim properties confiscated during the communist regime.

[13] Programme for the Endorsement of Forest Certification, https://www.pefc.org/news/romanian-forest-certification-system-submitted-for-assessment?utm_source=chatgpt.com, https://pefc.ro/

Forest Agents or rangers:

The recently adopted Forestry Code in Romania introduces several provisions that impact the roles and responsibilities of forest rangers:

- **Enhanced Monitoring and Surveillance:** The New Forestry Code mandates the installation of video surveillance and technical monitoring systems on forest roads to detect and deter illegal logging activities. This measure aims to support rangers in their enforcement duties by providing real-time data and evidence of unauthorized activities.
- **Introduction of New Forestry Offenses:** The code defines new offenses, such as the falsification of forestry-related computer data and false statements in computer declarations, punishable by imprisonment. This legal framework empowers rangers to take decisive action against sophisticated illegal activities involving data manipulation.
- Establishment of the **National Forestry Register** (RFN): A centralized registry for recording forestry operations, including details of all forest owners in Romania, is to be created. This resource is intended to assist rangers in tracking forest management activities and ensuring compliance with regulations.
- **Formation of the National Forestry Council:** This body will oversee professional ethics and compliance with standards among forestry personnel, including rangers. It aims to ensure that rangers adhere to best practices and maintain integrity in their duties.
- **Clarification of Rangers' Rights and Obligations: Articles 26 and the following and 93 and the following of the new Forestry Code** delineates the rights and responsibilities of forest landowners and forestry personnel, providing clearer guidelines for rangers in executing their duties. This clarity is expected to enhance the effectiveness and accountability of rangers in forest management and protection

Rules for Organizing Security

Security of the National Forest Fund (NFF): The security of the NFF is carried out according to the provisions of this law, aiming to prevent, deter, and combat actions detrimental to the integrity of the NFF, its objectives, assets, and products, and it is mandatory.

Security Measures Based on Risk Analysis: Security and safety measures for the NFF are established based on a risk analysis conducted by the NFF management structures or forestry service providers, approved by the Forest Guard and the territorially competent County Police Inspectorate.

Development of Internal Security Regulations: Leaders of NFF management structures or forestry service providers are responsible for developing their own regulations regarding the organization of security.

Standard Regulation Model: The standard model for the security organization regulation, along with criteria and procedures for conducting risk analyses, is approved by Government decision.

Provision of Security by Own Forestry Personnel: Security is ensured by the management structure's own forestry personnel. In justified cases, based on information from the risk analysis, the management structure may also ensure forest fund security through specialized structures authorized according to specific regulations in the field of asset security.

Obligation to Ensure Continuous Security: The NFF management structure is obligated to ensure continuous security of the NFF under its responsibility.

Joint Security Organization: Security can be organized jointly by multiple forestry districts, as appropriate.

Responsibility for Non-Compliance: The leader of the NFF management structure is accountable for failing to fulfil the obligations outlined in paragraph (3).

Inapplicability of Certain Provisions: The provisions of Law no. 333/2003 regarding the security of objectives, assets, values, and the protection of individuals, republished with subsequent amendments and completions, as well as its subordinate normative acts, do not apply to the implementation of security and safety measures in the NFF.

Support from Police and Gendarmerie Units: Police and gendarmerie units, according to their legal duties, provide specialized support in ensuring the security of the NFF.

General Obligations of Forestry Personnel with Security Duties

Forestry personnel with security duties have the following general obligations during service:

- **Protection Against Illegal Activities:** To ensure the integrity of the NFF against illegal land occupation or use, theft of wood or other forest products, destruction of constructions, installations, markers, crops, damage to trees, saplings, and shoots, and any other illegal acts.
- **Knowledge of Vulnerable Areas:** To be aware of vulnerable locations and points within the secured forest fund to prevent actions that could harm the forest fund.
- **Guarding Assigned Forest Areas:** To guard the forest areas entrusted to them.
- **Interception and Identification:** To stop and identify individuals suspected of committing acts that may be classified as forestry offenses, contraventions, or other illicit acts within the secured forest fund.
- **Immediate Reporting to Police:** To promptly report to the police any actions that may harm the secured forest fund and to cooperate whenever requested by law enforcement or police authorities.
- **Carrying Defensive Equipment:** To carry defensive tools, protective equipment, and assigned firearms during service, using firearms only in cases and conditions stipulated by Law no. 295/2004 regarding the regime of firearms and ammunition, republished with subsequent amendments and completions.
- **Patrolling and Law Enforcement:** To conduct patrols and engage in activities to prevent and combat criminal and contraventional acts that could harm the integrity of the NFF.
- **Patrolling for Fire Prevention:** To conduct patrols to prevent fires in high-risk areas and periods, and in case of a fire, to alert the forestry district and other authorized institutions and to act immediately to contain and extinguish the fire.
- **Preservation of Evidence:** To ensure the identification and preservation of evidence when detecting offenses until the arrival of authorized control personnel or law enforcement authorities.
- **Detection of Illegal Logging:** To identify violations of legal provisions regarding timber exploitation and unauthorized cutting.

- **Prevention of Waste Dumping:** To take measures to prevent and combat the dumping of any type of waste on NFF lands.
- **Control of Timber Transport:** To inspect the movement of timber within the secured NFF to verify the origin and legality of timber transports.
- **Assessment of Damages:** To assess damages caused within the secured NFF and to act in identifying the perpetrators of such acts.
- **Duties of Specialized Security Structures:** In cases where NFF security is also provided by specialized structures, the security regulation includes their duties as well.
- **Responsibility of the NFF Management Structure**
- **Civil Liability for Security Services:** The management structure providing security services is civilly liable for damages occurring on forest land under the administration/security service contract.
- **Inclusion of Liability Clauses in Contracts:** Administration/security service contracts must include clauses engaging civil liability as mentioned in paragraph (1).
- **Obligation to Seek Civil Remedies:** In cases of damages identified in the NFF, owned by the state or administrative-territorial units, the administrator/owner of the land is obligated to become a civil party in court to recover the damages.
- **Forest Guard's Role in Unrecovered Damages:** For unrecovered values of unrealized forest functions identified on NFF lands, the territorially competent Forest Guard is obligated to become a civil party in court to recover these values.

Responsibility of Personnel with Security Duties

- **Patrimonial Liability:** Forestry personnel with NFF security duties are patrimonially liable, in accordance with the provisions of Law no. 53/2003 – Labor Code, republished with subsequent amendments and completions, for damages in the NFF under their guard, caused by third parties or by their own actions, if they do not submit a written report to the forestry district immediately upon discovering the damages.
- **Obligation to Notify Authorities:** The head of the forestry district is obligated to immediately notify the territorially competent police or prosecutor's units upon receiving the written report mentioned in paragraph (1).
- **Jurisdiction for Patrimonial Liability Actions:** Patrimonial liability actions against forestry personnel with NFF security duties for damages caused in the NFF under their guard, under the conditions of this law, fall under the material competence of labor dispute courts.
- **Assessment of Damages:** The determination and evaluation of damages that engage patrimonial liability are conducted by forestry personnel with control duties, through their job description or delegation, as appropriate, based on a report. Violation of service obligations attracts criminal or disciplinary liability, as applicable.
- **Collection and Allocation of Damages:** The value of damages determined and evaluated under paragraph (4) is collected by the forestry district providing administration/forestry services and allocated as stipulated by this law. In cases of damages identified in the NFF, owned by the state or administrative-territorial units, the administrator/owner of the land is obligated to become a civil party in court to recover the damages, under the sanction of civil recovery of these damages from the head of the management structure.
- **Use of Compensation Funds:** For NFF lands taken under guard by the forestry district based on the findings mentioned in Article 31, paragraph (3), without administration contracts or

minimal forestry services, the amounts collected as compensation, which should be granted to the forest owner where the damage occurred according to this law, become revenue for the land improvement fund designated for forestry purposes and are used, upon request, by the forestry district providing administration/forestry services.

Forest Sciences:

Romania hosts several academic and research institutions dedicated to advancing knowledge in forest ecology, management, and conservation. Notable among these are:

- **National Institute for Research and Development in Forestry "Marin Drăcea" (INCDS "Marin Drăcea")**[14]: Established in 1933, this institute focuses on sustainable forest management, ecological reconstruction, and biodiversity conservation. It operates multiple research stations across the country and collaborates with international organizations to address contemporary forestry challenges.
- **Transilvania University of Brașov**[15]: Through its Faculty of Silviculture and Forest Engineering, the university offers undergraduate and postgraduate programs in forest engineering, wildlife management, and terrestrial measurements. The university's Research and Development Institute supports interdisciplinary research, including sustainable forestry and wildlife management.
- **Ștefan cel Mare University of Suceava**[16]: The Faculty of Forestry at this university provides education and conducts research in forest management, ecology, and conservation, contributing significantly to the development of sustainable forestry practices in Romania.

These institutions play a crucial role in supporting Romania's forestry sector through research, education, and expertise, promoting sustainable management and conservation of forest resources.

The New Forestry Code regulate the research and innovation in forestry in Article 17, establishing:

Support for Research Activities: The Authority (The Ministry Of Environment, Waters and Forests) supports scientific research and technological development in the field, ensuring the implementation of results to establish technical standards and best practice guidelines for forestry, develop public policies in the forestry sector, and enhance forest management systems.

Conducting Research: Scientific research and technological development in forestry are carried out by public and private legal entities with research as their primary activity, constituting the National Research and Development System.

Sectoral Research Plan: The Authority's Sectoral Plan, which implements its research policy to ensure domain development and serves as an instrument for the current National Strategy for Research, Innovation, and Smart Specialization, alongside other funding tools for forestry-specific research programs—including fulfilling national, European, and international

[14] National Institute for Research and Development in Forestry "Marin Drăcea" - https://icas.ro/
[15] Transilvania University of Brașov - https://www.unitbv.ro/
[16] Ștefan cel Mare University of Suceava - https://usv.ro/en/homepage/

obligations—is approved by the Authority's leader (the minister of environment) within 120 days from the enactment of this law.

Research Stations and Experimental Bases: Research and development stations and experimental bases within research institutions are primarily used by administrators to implement research and innovation projects and to achieve experimental scientific results for regional and/or national application.

Establishing Experimental Areas: Setting up experimental areas within the National Forest Fund (FFN) requires notifying the administrator for state-owned public FFN lands or obtaining the owner's consent in other cases.

Funding: Public funding for research, development, and innovation entities complies with European and national state aid regulations.

Other Forest organisations

In Romania, the establishment and operation of forest cooperatives have been significantly influenced by legislative measures aimed at land restitution and property rights, particularly Law No. 18/1991 and Law No. 1/2000.

Law No. 18/1991 (Land Fund Law): Enacted in February 1991, this law initiated **the restitution** of agricultural and forest lands to former owners or their heirs, following the collectivization period during the communist regime. The law classified land into categories, including agricultural and forest land, and set the framework for re-establishing private ownership. It allowed individuals to request the reconstitution of property rights for lands that had been transferred to state ownership. This restitution process led to a significant number of private forest owners, many possessing relatively small and fragmented parcels of land.

Law No. 1/2000: This law further addressed the **reconstitution of property rights** over agricultural and forest lands, building upon the provisions of Law No. 18/1991. It aimed to resolve **pending restitution** claims and facilitated the process for individuals who had previously been unable to reclaim their properties. The law provided mechanisms for the restitution of land, including forested areas, to rightful owners, thereby increasing the number of private forest proprietors.

Article 26 of Law No. 1/2000 addresses the restitution of property rights to associative forms of land ownership, such as communal forests and pastures, in Romania. This article regulates:

- **Issuance of a Single Property Title**: Associative forms of ownership over lands with forest vegetation, pastures, and meadows—such as "obști de moșneni" (communal ownership by descendants of free peasants), "obști răzețești" (communal ownership by descendants of yeomen), and "composesorate" (co-ownership associations)—will be issued a single property title. This is done upon the request of their legal representative, with the title indicating the specific type of association and the name of the respective locality.
- **Restitution** of Entire Surface Area: These associative forms are entitled to the restitution of the entire surface area they previously owned.

- **Equal Division Among Members:** If the associative form previously held the property in common ownership without specified shares for each member, the restituted land will be divided into equal parts among the current members of the association.
- **Accompanying Documentation:** The property title will be accompanied by a site plan outlining the specific area of forest land to be restituted.

Article 8 of the New Forestry Code:

- **Associative Forms as Legal Entities subject to article 26 of the Law 1/2000:** Associative forms of ownership over lands with forest vegetation, pastures, and meadows—such as "obști de moșneni" (communal ownership by descendants of free peasants), "obști răzești" (communal ownership by descendants of yeomen), and "composesorate" (co-ownership associations)—that existed prior to 1948 are recognized as legal entities and are considered part of Romania's historical heritage.
- **Guaranteed, Indivisible, and Inalienable Property:** The property of these associative forms is guaranteed, indivisible, and inalienable. The provisions of Article 27 of Law No. 1/2000 apply accordingly: 'The administration and exploitation of forest lands referred to in Article 26 of this law shall be carried out in accordance with the statutes of **associative forms** recognized by Romanian legislation during the period 1921–1946, to the extent that they do not conflict with the legislation in force.'

These provisions aim to ensure the recognition and protection of **property rights** for traditional communal ownership entities in Romania, acknowledging their historical significance and legal status.

Post-Communist Land Restitution: Corruption and Ownership Ambiguities

The post-communist land restitution process in Romania, initiated under **Law No. 18/1991** and expanded by **Law No. 1/2000**, aimed to return forest lands confiscated during the communist regime to former owners or their descendants. However, the process has been deeply affected by **corruption, political interference, and weak institutional oversight**, resulting in widespread **misallocation of forest lands.** Many restitution claims were either fraudulently granted to ineligible parties or denied to legitimate heirs, often based on incomplete, falsified, or missing documentation.

As a result, **land tenure and ownership records remain fragmented and unclear**, especially in rural and mountainous regions. This has led to overlapping claims, legal disputes, and significant areas of forestland remaining outside proper cadastral registration. The lack of clear, unified ownership undermines sustainable forest management, hinders enforcement of forest laws, and discourages investment in long-term conservation.

Implementation of the legislative measures aimed at ensuring the restitution of forest land

The restitution of forest lands resulted in a landscape characterised by numerous private owners with relatively small and dispersed forest plots. To manage these forests effectively and sustainably, owners began forming **forest cooperatives.** These cooperatives enable members to pool resources, share management responsibilities, and gain better access to markets for timber and non-timber forest products. By collaborating, members can achieve economies of scale, implement consistent forest management practices, and enhance the overall economic viability of their forest operations. Collective or communal forests are known in Romania as "obști" or "composesorate".

The Borșa Composers' Association is involved in a prolonged and complex legal dispute over the restitution of 17,000 hectares of forest in the Borșa area of Maramureș County, Romania. Over the years, this case has generated numerous controversies and has involved multiple legal proceedings.

Historical Background of the Dispute:

Initial Restitution Claim: In the 2000s, the Borșa Composers' Association sought the restitution of 17,000 hectares of forest, claiming that these lands belonged to the composesorat (a traditional communal ownership structure) before the communist nationalization. Local authorities contested this claim, asserting that the original composesorat owned only about 6,000 hectares.

Judicial Decisions: In 2004, the Aleșd Court issued a favorable ruling to the association, granting them 17,000 hectares. This decision was contested by authorities, citing falsified documents presented by the association. Nevertheless, in 2022, the European Court of Human Rights (ECHR) found a violation of property rights in this case.

Controversies and Allegations: Throughout the years, there have been allegations of forgery and corruption in the restitution process. Investigative reports have highlighted possible connections between association members and local politicians, as well as the use of falsified documents to obtain larger areas than originally owned.

Authorities' Intervention: The Ministry of Foreign Affairs requested a re-examination of the case at the ECHR, attempting to overturn the favourable decision to the association. Additionally, national courts have ordered the dissolution of certain associations involved in similar disputes, such as the Cisla Composers' Association.

Current Situation:

As of November 8, 2022, the ECHR issued a ruling in favour of the Borșa Composers' Association, acknowledging a **violation of property rights.** However, Romanian authorities have continued legal actions to contest this decision and prevent the effective restitution of the lands. The dispute remains complex, with significant legal and economic implications for the local community and the Romanian state

3. Forest land ownership structure

- **According to State statistics, what is the ownership structure of the forest in your country (at State level)?** Please include relative and absolute data of forest ownership types, including average size of public and private forests and the number of area of forests in each size category)

Data on national forests ownership structure

Ownership categories under the Forestry Code (Art. 7):

1. **Public Ownership:**
    - State forests managed by Romsilva.
    - Local administrative units (UAT).

According to the National Forest Inventory (NFI) of Romania[17], the country's forest resources are assessed through systematic data collection and analysis. The NFI provides comprehensive information on forest area, ownership, and other critical metrics.

Total Forest Area: Approximately 6,929,000 hectares, covering **about 29% of Romania's land area.**

State-Owned Forests: Approximately 3,150,000 hectares, **representing about 45.5% of the total** forest area. Managed predominantly by Romsilva, the National Forest Administration, overseeing large contiguous areas averaging thousands of hectares per management unit.

Medium to Large Holdings: Both state and private entities manage medium to large forest areas, with state-owned forests typically being more extensive.

2. **Private Ownership:**
    - Individual, collective, or corporate ownership including historical associative properties.

Privately Owned Forests: According to the NFI[18], approximately 3,779,000 hectares, accounting for about **54.5% of the total forest area.**

Private Forests: The average size varies significantly, with many holdings being relatively small. A substantial number of private forest owners possess less than 1 hectare, while others, such as private companies or associations, may own larger tracts.

Detailed statistical data on the exact number of forest holdings per size category is limited. However, it's recognized that a significant portion of private owners have small plots, often less than 1 hectare.

[17] The National Inventory Fund, https://roifn.ro/site/rezultate-ifn-2/

[18] Romsilva, the state-owned company responsible for managing Romania's public forests, has indicated on its website that privately owned forests encompass approximately 3,320,670 hectares. However, the specific year from which this statistic originates is not specified.

Definitions of forest ownership in your country

- **Forest owner –** The new Forestry Code does not define the forest owner, however, according to the civil code, the forest owner is the holder of the ownership right of the specific plot of land classified as forest. In Romania, both legal entities and individuals are permitted to own forested land.
- **Forest holder –** Annex 1 of the new Forestry Code defines the forest holder as the owner, administrator, provider of forestry services, transporter, depositor, custodian, as well as any other natural or legal person holding a legal title to forest land or timber materials.
- **Forest manager – The forests districts** Oversee management activities, often contracted by owners according to article 12. They are defined in Annex 1 of the new Forestry Code.
  According to Annex 1 of the Forestry Code, the management of the forests is ensured by **forestry districts** established for managing and/or providing services for lands within the National Forest Fund (FFN), with the following minimum areas for establishment:

  a) In the plain region: 3,000 hectares of forest fund;
  b) In the hill region: 5,000 hectares of forest fund;
  c) In the mountain region: 7,000 hectares of forest fund.

  The forestry unit is established by:

  a) Administrative-territorial units, for public or private forest lands they own or manage;
  b) Natural persons and/or legal entities, for private forest lands they own;
  c) Legal entities resulting from the association of persons mentioned in points a) and/or b), registered in the Register of Associations and Foundations at the National Trade Register Office;
  d) Administrators of the public state-owned forest fund (Romsilva), for public forest lands owned by the state and/or administrative-territorial units they manage.

  The administration/management of forests is defined as 'A set of entities through which the management of the forest fund is carried out under the provisions of this law'. Such entities are: The Minister of Environment Waters and Forests, The Forest Guard, Romsilva, the forest districts, and others such as:

  - **Autonomous Administration of State Protocol Patrimony (RAPPS)**[19] - establishing their forestry district to manage the forests on the land units they manage.
  - **The National Institute for Research and Development in Forestry Marin Dracea (INCDS)** - assimilated to state forestry districts provides stations and experimental bases.
  - **State educational institutions** with a forestry profile, through their own experimental and teaching bases, exclusively for the lands they manage.

[19] RAPPS is a Romanian autonomous administration responsible for managing, preserving, and protecting state-owned assets designated for public services of national interest, such as representation and protocol for institutions including the Senate, the Chamber of Deputies, the Presidential Administration, the Government, and the Constitutional Court, https://www.apps.ro/despre-r-a-a-p-p-s/?utm_source=chatgpt.com

- **Forest contractor**

The new Forestry Code does not explicitly define "contractors," it establishes a framework that affects all entities involved in forestry activities, emphasising sustainable practices, transparency, and strict adherence to legal standards. According to Article 101 of the Forestry Code, economic operators engaged in wood exploitation must obtain certification from the Attestation Commission, which the forestry patronage and professional association organizes.

- **Forest**

According to Article 2 of the Forestry Code Lands within the National Forest Fund (FFN) covering at **least 0.5 hectares**, populated with trees that reach a **minimum height of 5 meters** at maturity under normal vegetation conditions, are considered forests.

Assimilated to Forests:

- Lands classified as forests or protective forest belts within the FFN before the enactment of this law, even if they do not meet the area criterion defined above.
- Lands within the FFN before this law's enactment that are populated with dwarf mountain pine (jnepenișuri), even if they do not meet the minimum height criterion defined above.

The Forestry Code defines in Article 3 the following categories of agricultural land are classified as 'agrosilvicultural' land:

1. **Lands covered with trees**, including afforested pastures, that reach a minimum height of 5 meters at maturity under normal vegetation conditions, with a density greater than or equal to 0.1, over an area of at least 0.5 hectares.
2. **Lands where protective forest belts** are established, consisting of trees that reach a minimum height of 5 meters at maturity under normal vegetation conditions, not included in the National Forest Fund (FFN).
3. **Lands where dwarf mountain pine (jnepenișuri)** are established, not included in the FFN.
4. **Lands where forest plantations** are established through various national and local programs, provided these programs do not stipulate inclusion in the FFN.

These provisions aim to encourage the integration of forestry practices within agricultural lands, promoting sustainable land use and environmental conservation.

According to Article 4 of the Forestry Code (Legea nr. 331/2024), the following lands, which **are not part of the National Forest Fund (FFN)** as per Article 1 and are covered with forest species trees, are considered lands with forest vegetation outside the FFN:

1. **Agrosilvicultural lands**, as defined in Article 3.
2. **Lands with trees in the protection zones of hydrotechnical works and land improvements.**
3. **Lands with trees located along watercourses and canals.**
4. **Lands designated as green spaces within urban areas**, other than those with the characteristics specified in Article 2, paragraph (1).
5. **Lands where arboretums are established**, other than those included in forests.
6. **Lands situated along transport and communication routes**, where tree alignments are established.
7. **Urban mini-forests.**

Furthermore, the vegetation on the lands listed above, as well as isolated trees of forest species located on lands with other designations than forestry and not falling under the categories mentioned, are not subject to the provisions of this law, except for those regarding the evaluation of wood intended for commercialization and the circulation of timber materials.

These provisions aim to identify and regulate lands with forest vegetation outside the National Forest Fund, ensuring their proper management and conservation.

According to Annex 1 of the Forestry Code, the forests may be:

Primary Forests - A forest exhibiting a natural dynamic of ecosystem processes is characterized by:

- **Natural species composition**: The presence of indigenous tree species.
- **Multi-aged structure**: A diverse age distribution among trees.
- **Natural regeneration**: Trees reproduce and repopulate without human assistance.
- **Unmanaged natural tree removal**: Trees die and decompose naturally, without human intervention.

These processes occur over an area sufficiently large to maintain its natural characteristics, with minimal or no significant human intervention. In cases where human activities have occurred in the distant past, the forest has since reestablished its characteristic natural processes.

Certified forests - refers to a forest area for which a valid certificate has been issued by an internationally accredited independent organization. This certification, granted after an audit, confirms that the respective area is managed in accordance with an internationally agreed forest management standard.

A virgin forest is defined as a forest that has formed and developed exclusively under the influence of natural factors, where ecosystem processes occur dynamically without any direct or indirect. In Romania, virgin forests are identified based on specific criteria and indicators established by the Ministry of Environment, Waters, and Forests. These criteria ensure the identification and protection of virgin forests, preserving their ecological integrity and natural processes. These criteria include:

- **Naturalness**: The forest exhibits a natural composition and distribution of species, complex vertical stratification, and all developmental stages are present.
- **Biodiversity**: High biodiversity, including trees of various ages, some reaching the physiological age limit.
- **Absence of human intervention**: No signs of silvicultural activities (e.g., stumps) or other anthropogenic activities (e.g., grazing).
- **Presence of deadwood**: Frequent occurrence of standing and fallen deadwood in various stages of decomposition.
- **Natural soil condition**: Soil remains unaltered, with no infrastructure such as roads or constructions, except for those intended for scientific purposes or tourist trails.

Quasi-virgin Forest: A forest that was previously virgin but has undergone minor anthropogenic changes that are observable but insignificant regarding its structure, site, and ecosystem processes.

Urban and Peri-urban Forests: Forests and forested lands located within or around cities that serve ecological, health-promoting, and recreational functions for urban residents. These forests may also provide additional goods and services, such as wood, fibers, fruits, or other non-timber forest products, as per the regulations outlined in Article 166, paragraph (3) of this law.

Urban Mini-forests: Compact land areas of at least 100 square meters located within urban areas (cities or municipalities) or peri-urban zones, with a width of at least 2 meters, where tree species have been planted. These areas offer psychological, social, aesthetic, economic, and environmental benefits to society, in compliance with the regulations specified in Article 166, paragraph (3) of this law.

Forests with Socio-cultural Roles: Forests situated around, along, near, or within areas/objects of social or cultural interest, primarily or entirely dedicated to fulfilling socio-cultural functions. These areas or objectives may include: a) Balneoclimatic resorts, climatic resorts, or sanatoriums of national importance; b) Objectives essential for preserving the cultural identity of local communities; c) Special cultural landmarks (fortresses, fortifications, monasteries, etc.).

Mosaic Forest Landscape: A large forested area composed of lands with diverse uses but dominated by forested lands. These forests contain stands at various stages of development, with different associations of species and ages creating a mosaic. The dynamics of this mosaic are determined by management practices, while its heterogeneity remains relatively constant over time due to the application of silvicultural measures.

Forest ownership types in your country

- Please provide a **description of the types of forest ownership** (e.g. public forest, private forest) identified in the legislation applicable in your country. **Are there specific laws** for certain types of collective, communal, vicinal or neighbourhood forests?

Public Forests:

- **State-Owned Forests**: Managed by the National Forest Administration, Romsilva, these forests constitute approximately 50% of Romania's forested areas.

Private Forests:

- **Individual Ownership**: Forests owned by private individuals.
- **Collective Ownership**: Forests owned by entities such as churches, municipalities, or community groups.

State forests are managed by Romsilva and other public bodies, while private lands are often managed through associations (Art. 12).

According to Article 7 of the Forestry Code, **lands within the National Forest Fund (FFN) are classified based on ownership** as follows:

1. **Public Property of the State**: Forest lands owned by the state and managed for the public good.
2. **Private Property of the State**: Forest lands owned by the state but designated as private property.

3. **Public Property of Administrative-Territorial Units:** Forest lands owned by local government entities, such as municipalities or counties.
4. **Private Property of Administrative-Territorial Units:** Forest lands owned privately by local government entities.
5. **Private Property of Individuals and Legal Entities:** Forest lands owned by private individuals or organizations.

Additionally, the Code specifies that forest lands within the FFN belonging to administrative-territorial units, which result from the restitution of property rights, are considered public property of these units.

The legislation prohibits the transfer of forest lands from the state's public property to its private property, except in cases involving the restitution of property rights.

Regarding **collective or communal forests**, known in Romania as "obști" or "*composesorate*," the Forestry Code acknowledges these associative forms of ownership. Its **Article 8** addresses special associative forms of forest ownership, indicating that such associations are recognized and regulated under Romanian law.

- Are there well-established programs for forest land consolidation? Are there public bodies promoting or responsible for these programs?

Forest land consolidation refers to the systematic process of reorganizing and merging fragmented forest land parcels into larger, more cohesive units. This approach aims to enhance sustainable forest management, improve ecological stability, and increase economic efficiency.

By consolidating smaller, scattered plots, landowners and forest managers can better implement conservation practices, facilitate access for maintenance and harvesting, and reduce administrative complexities. Such consolidation efforts often involve collaboration among landowners, governmental agencies, and other stakeholders to ensure that the ecological and economic benefits are realized while respecting property rights and promoting sustainable land use practices.

As of January 2025, the **new Forestry Code** (Law no 331/2024), enacted in December 2024, does not include specific provisions in Article 73 regarding **forest land consolidation.**

The new Code aims to safeguard existing forests and promote sustainable management practices.

While the new Forestry Code introduces significant reforms, it does not specifically address forest land consolidation. Historically, land consolidation efforts in Romania have been limited and primarily focused on agricultural lands. Pilot projects and technical assistance, such as those facilitated by the Food and Agriculture Organization (FAO), have aimed to develop policies and draft legislation guiding future land consolidation programs. However, as per the current legislation, there are no explicit regulations or programs dedicated to forest land consolidation.

Land consolidation is linked to land restitution as it has triggered the establishment of forest cooperatives to facilitate the management of these private forests effectively and sustainably. These cooperatives enable members to pool resources, share management responsibilities, and gain better access to markets for timber and non-timber forest products, ensuring economies of

scale, consistent forest management practices, and enhanced economic viability of their forest operations.

Proof of ownership: Land registry and Cadastre

- How is ownership proved?

In Romania, proof of forest ownership is established through official land ownership documents, namely the land title. This document is registered to the National Agency for Cadastre and Land Registration (ANCPI) and serves as the legal evidence of property rights over forested land.

To validate and exercise ownership rights, the following steps are typically undertaken:

Land Registration (Cadastral Registration):

The law no 7/1996[20] on Cadastre and Real Estate Publicity (republished)requires any land property to be registered in the **national cadastre and land registry** system which involves a detailed survey and documentation of the land's boundaries and characteristics.

Possession of Legal Documents:

Owners should possess **the land title** and any other relevant legal documents, such as property deeds or inheritance certificates, that confirm their ownership rights.

Compliance with Forestry Regulations:

Forest owners are required to adhere to national forestry laws and regulations, which may include obtaining specific approvals or certifications for certain activities.

- Is there a registration fee?

The fee for registering property rights over a forest in Romania is determined based on the owner's legal status and the property's value as stated in the legal document[21].

For individuals:

- The fee is 0.15% of the property's value as recorded in the legal document.

For legal entities:

- The fee is 0.5% of the property's value as recorded in the legal document.

Regardless of the property's value, there is a minimum fee of 60 RON for each property.

If the value mentioned in the legal document is lower than the market value established through studies conducted by the notary public chambers or is not specified, the percentage is applied to this market value.

It's important to note that, in addition to the registration fee, there may be other associated costs, such as the fee for the authorized expert who prepares the necessary cadastral documentation for registration.

[20] Law no 7/1996 https://legislatie.just.ro/Public/DetaliiDocument/69491

[21] The National Agency for Cadastre and Land Registration, https://b.ancpi.ro/wp-content/uploads/2022/10/tarife-si-termene.pdf

- **Is there an official register of forest owners and of forest holdings? Is it shared with agricultural registers? Is it harmonized with the general property/ownership register?**

In Romania, the management and registration of forest ownership are governed by several key legislative provisions:

Law no 7/1996 on Cadastre and Real Estate Publicity - Integrated Cadastre and Land Book System:

The National Agency for Cadastre and Land Registration (ANCPI) maintains this system, which records all real estate properties, including forest lands. It serves as the official register of forest owners and holdings, documenting ownership rights and property boundaries.

National Forestry Register (RFN):

Article 21 from the new Forestry Code stipulates that the Minister of Environment, Waters and Forests manages **the National Forest Registry (RFN)** which aims to record properties within the National Forest Fund (FFN), facilitate electronic approvals and reporting between various public entities, monitor the implementation of forestry services, and provide assistance and information to owners receiving payments or using forestry services.

The RFN is different to the Land registry (Cadastre) but it is a component of the integrated information system for forests and provides necessary information for the integrated implementation of the Authority's measures and policies regarding the FFN, including records of administration or provision of forestry services and monitoring financial support instruments for owners. It provides assistance and information to owners who are beneficiaries of payments or users of forestry services.

From the date the integrated information system for forests becomes operational, owners seeking **compensation for forestry-environmental services or contracting mandatory minimal services** are required to request the registration of their property in the RFN. Registration in the RFN is free for forest fund owners.

Integrated Information System for Forests:

According to Article 20 of the Romanian Forestry Code, the government is tasked with approving methodological norms concerning the origin, traceability, circulation, and commercialization of timber materials.

These norms regulate the creation, development, and operation of an integrated information system for forests, which functions to:

- Collect and process data related to sustainable forest management.
- Record information regarding the origin of timber at its first market entry, as well as its traceability, circulation, and commercialization.
- Provide information to support the development of individual record systems for each economic operator at the first market entry of timber and to monitor its traceability.
- Supply information for risk assessment by competent authorities and guide control based on risk evaluations.
- Offer public interest information regarding the origin, traceability, circulation, and commercialization of timber materials.

- Facilitate control functions.

National Agricultural Register (RAN):

- The National Agricultural Register (RAN) is a centralized information system managed by ANCPI, ensuring a unified record of data regarding households, agricultural companies, and associations, as well as other individuals and legal entities owning land or animals.

RAN facilitates:

- For citizens (Households): Online consultation of data related to their own households, geospatial visualization where available, reporting of non-compliant situations, and access to public interest statistics.
- For administrative-territorial units (UATs): Automatic or manual transmission and updating of data from the local agricultural register, management of modification requests received from citizens, and consultation of data from their own register.
- For institutions: Real-time access to centralized data from RAN and utilization of this information in their activities.

Harmonization with Ownership Registers:

- The Integrated Cadastre and **Land Book System** aims to harmonize property records, providing a unified framework for registering ownership rights, including those related to forest lands.

The establishment of the integrated information system for forests and the RFN further enhances the harmonization of forest ownership records with existing property and agricultural registers, ensuring consistency and legal clarity across different types of land holdings.

- Is the **Cadaster/register** well updated and reflecting real forest owners/holders?

In Romania, the **National Agency for Cadastre and Land Registration (ANCPI)** is responsible for maintaining the official records of land and property ownership, including forests. This centralized system ensures that all properties, regardless of their type, are registered under a unified framework. **Registration is mandatory**, ensuring harmonization with broader property records. [22]

Proof requires: Registration in the Land Registry (Cadastre) and cadastral documentation **and in the National Forest Registry** (Art. 21).

[22] A consulted forestry association considers the costs to be high.

4. Rights and obligations: forest owner/holder and forest contractor

Overview

- According to the legal and regulatory framework what are the rights and obligations of forest owners/holders and forest managers in your country?

According to Articles 23 paragraph 4 and 25 the Rights of Landowners within the National Forest Fund (FFN) are:

1. **Landowners with properties up to and including 10 hectares** have, in addition to other rights provided by this law, the following rights:

- **To harvest** up to 5 cubic meters of wood per year per hectare, depending on the structural characteristics of the stand, based on registration in the integrated information system for forests. The 5 cubic meters per year per hectare limit may be exceeded under conditions established by the technical norms provided in Article 66, paragraph (1).
- **To carry forward unharvested quantities** as per point (a) to subsequent years, aiming for the proper execution of silvicultural works in accordance with the structural characteristics of the stand.
- **To fully harvest** accidental products[23], with deduction from the annual volume allocated for subsequent years, according to records in the integrated information system for forests.
- **To benefit from free surveillance/guarding** and minimal forestry services.
- **To opt for the development of a forest management plan** in accordance with the provisions of Article 63, paragraph (3), exercising the right to choose the target type of trees for forest production.

2. **Landowners with properties exceeding 10 hectares** have, in addition to the rights provided by this law, the following rights concerning the harvesting of wood products:

- To choose the target type of tree for production in the forests enabling both production and protection roles, in accordance with the provisions of the technical norms for forest management and if forest management plans are developed according to Article 63, paragraph (3), forest continuity at this level will be ensured by applying appropriate forestry practices and treatments.
- To harvest wood in accordance with the provisions of forest management plans.
- To fully harvest accidental products, with deduction from the allowable cut established by forest management plans.

[23] The Forestry Code Annex I - Accidental Products I
The volume of wood originating from trees in a stand or part of a stand with an area of at least 0.5 hectares, most severely damaged by biotic and/or abiotic factors, or from trees in a stand older than half the technical exploitable age, partially affected by biotic and/or abiotic factors. These products are assimilated to main products and are harvested in full.
Accidental Products II
The volume of wood originating from trees in a stand with an age less than or equal to half the technical exploitable age, partially affected by biotic and/or abiotic factors. These products are assimilated to secondary products and are harvested in full.

- To benefit from free surveillance/guarding and minimal forestry services for areas up to and including 30 hectares.
- To benefit from the compensations and financial incentives provided in Articles 84, 123, and 124.

3. The **granting of rights** mentioned in paragraph (1) point (d) and (e), and paragraph (2) point (d) and (e), shall be in compliance with European and **national state aid regulations.**

Obligations:

Under Romania's new Forestry Code, **forest owners and managers** are subject to several obligations aimed at ensuring sustainable forest management and conservation. Key responsibilities include:

1. **Mandatory Monitoring/guarding and Minimal Forestry Services:**
   - Forest owners are required to secure the protection and integrity of their forested lands. This entails entering into contracts for monitoring/guarding and minimal forestry services with authorized forestry units. The primary objectives of these contracts are:[24]
     - Ensuring the protection and integrity of the forested areas under contract.
     - Implementing necessary measures to detect, prevent, and combat forest diseases and pests.
     - Establishing protocols for fire prevention and suppression.
   - Owners of forest lands up to 30 hectares are entitled to receive these monitoring/guarding and minimal forestry services free of charge.
2. **Reforestation and Regeneration Duties:**
   - Forest owners are obligated to undertake reforestation and regeneration activities on their lands. Failure to execute these tasks permits the Forestry Guard to intervene through measures such as:
     - Assigning the necessary works to a forestry unit and transferring the incurred costs to the landowner, with the owner's consent.
     - Initiating expropriation procedures for public utility purposes, with compensation funds provided by the state budget.
   - These measures ensure that neglected or abandoned forest lands are restored and maintained appropriately.

[24] A consulted stakeholder highlighted that owners of areas larger than 30 hectares or forest-owner associations must pay for the full range of administrative and silvicultural services. According to the association, these service packages often reach around €50/ha, creating a significant cost burden for some owners. However, it must be considered that the costs of forest administration are not regulated and are instead determined by market conditions, reflecting the expenses associated with hiring qualified personnel, carrying out field operations, complying with procurement and tax obligations, and ensuring legal forest management. Owners of larger forest areas may offset some of these costs through revenues from timber harvests, and they also have the option to choose among administrators or establish their own administrative structure if existing services are considered too expensive.

3. **Registration in the National Forest Registry (RFN):**
    - Forest owners seeking compensation for silvo-environmental services or those contracting mandatory minimal services are required to register their properties in the RFN. This registration is provided free of charge and facilitates the integrated implementation of forestry policies and monitoring of financial support instruments for owners.
4. **Adherence to Sustainable Management Practices:**
    - Owners must manage their forests in line with sustainable practices, which include:
        - Ensuring the continuity and health of forest ecosystems.
        - Preventing illegal logging and other activities detrimental to forest integrity.
        - Complying with technical norms related to wood harvesting volumes and methods.
    - For instance, owners of forest land up to 10 hectares are **permitted to harvest** up to 5 cubic meters of wood per year per hectare, with the **possibility of carrying forward unharvested** quantities to subsequent years. Exceeding this limit is permissible only under conditions specified by technical norms.

Legal rights of the forest owner/holder

- **Right to financial support/tax exemptions/subsidies? What are the requirements?**

Article 121: Funding Systems for Ecosystem Services

The establishment of conditions for **providing ecosystem services** beyond the minimal level, as defined in Article 24, is supported through funding systems.

The **compensatory payment system** is designed for forest owners to offset disadvantages exceeding those determined by ensuring minimal ecosystem services. These disadvantages arise from **mandatory restrictions imposed by public authorities** implementing **biodiversity conservation regimes or providing ecosystem services.**

The subsidy system is a funding mechanism aimed at encouraging forest owners to achieve objectives beyond the provision of minimal ecosystem services or to stimulate the attainment of minimal services in the case of small properties.

The regulated payment system for ecosystem services is implemented by allocating funds to the Environmental Fund. These funds are used specifically for financing the protection functions identified in forest management plans, in accordance with the provisions of Article 122.

The authority, through Romsilva, is obligated to purchase privately owned forest lands within the National Forest Fund (FFN) that contain virgin and quasi-virgin forests, strictly protected areas within national and natural parks, and urban and peri-urban forests, from landowners who express an intention to sell, under the conditions of Article 53, paragraph (6). The purchase of these lands is conducted in accordance with the Government decision stipulated in Article 55.

Article 122: Regulation of Forestry Production for Ecosystem Service Financing

For areas included in forest management plans, the minimal level of **forestry production** is established corresponding to the requirements of functional group II, in line with the provisions of technical norms for forest management.

Article 123: Support for Forest Owners

The state supports forest management through financial incentives and compensations for landowners within the FFN, in compliance with state aid regulations.

The methodology regarding funding schemes' implementation and control are approved by Government decision, upon the proposal of the Authority, within 90 days from the enactment of this law. The compensations and incentives established by Government decision are granted from the date of approval of the state aid schemes by the European Commission.

Chapter II: Special Funds

Article 124: Forest Conservation and Regeneration Fund

Administrators of state-owned FFN lands and other FFN landowners are required to establish an interest-bearing, tax-exempt, fiscally deductible Forest Conservation and Regeneration Fund, treated as fiscal reserves. The fund is at the disposal and in the account of the administrator or forestry service provider.

The Forest Conservation and Regeneration Fund provides support on the following basis and sources:

- The value of land permanently removed from state-owned FFN, if no land is offered in compensation.
- The value of growth loss determined by timber harvesting before the exploitable age from lands permanently or temporarily removed from state-owned FFN.
- 30% of the rental amount for the temporary occupation of state-owned FFN lands.
- The value of compensations for damages caused to state-owned FFN.
- 100% of the compensations for damages caused to privately owned FFN.
- 10-25% of the value of sold and collected timber from principal and accidental I products, calculated at the average price per cubic meter of wood, for state-owned lands; the percentage is annually determined by Romsilva, INCDS, and RAAPPS through their respective forestry units.
- 10-25% of the value of authorized timber for harvesting from principal and accidental I products, calculated at the average price per cubic meter of wood, for other forms of ownership; the percentage is annually determined by the owner based on the substantiation provided by the forestry unit.
- Amounts representing the costs of establishing/re-establishing forest vegetation for lands subject to compensation/temporary occupation, as well as costs necessary until achieving forest stand status for FFN lands.
- Amounts representing the value of effects determined by the protective, ecological, and social functions of forests.
- Amounts resulting from the situation described in Article 22, paragraph (3).

- Allocations from the state budget.

The Forest Conservation and Regeneration Fund may be used for:

- Regenerating areas subjected to cutting.
- Afforesting barren land recorded in the forest management plan or acquired for afforestation purposes.
- Re-establishing forests on temporarily occupied FFN lands.
- Performing works to assist and support natural and artificial regenerations and managing existing young stands.
- Conducting works in forest genetic resources listed in the National Catalog of Basic Materials.
- Covering expenses incurred in restoring forests affected by calamities.
- Carrying out cleaning, thinning, and artificial pruning operations.
- Purchasing agricultural or forest lands.
- Managing forests with special protection functions, where timber production is not regulated.
- Conducting studies and works for forest protection.
- Fencing lands with natural regenerations and plantations.
- Reimbursing the costs of seedlings produced in own nurseries or purchased, used for afforestation or reforestation on FFN lands under technical forestry service contracts.
- Paying for administration/monitoring services from the remaining funds at the end of the year.
- Establishing new nurseries.
- Ensuring irrigation for plantations and nurseries.
- Purchasing equipment and machinery necessary for artificial forest regeneration.

Reporting requirements on the use of the fund is required by each owner/holder.

In brief, to be eligible for these benefits, owners must meet specific requirements:

- **Provision of Ecosystem Services Beyond Minimal Levels:** Owners who offer ecosystem services exceeding the minimal standards defined in Article 24 are supported through dedicated funding systems. This includes compensatory payments for disadvantages arising from mandatory restrictions imposed by public authorities for biodiversity conservation or ecosystem service provision. Additionally, subsidy systems encourage owners to achieve objectives beyond minimal ecosystem services or to stimulate minimal services on small properties.
- **Adherence to Sustainable Forest Management Practices:** To qualify for financial support, forest owners must manage their lands sustainably, ensuring the integrity and permanence of the forest fund. This includes implementing ecological objectives, promoting biodiversity, and preventing irreversible degradation due to human actions or environmental factors.
- **Subsidies and compensations through the Forest Conservation and Regeneration Fund:** Both state and private forest land administrators are required to create an interest-bearing, tax-exempt, and fiscally deductible Forest Conservation and Regeneration Fund. This fund is utilized for activities such as regenerating harvested areas, afforesting barren lands, re-

establishing forests on temporarily occupied lands, and conducting necessary maintenance and protection works.

- **Compliance with State Aid Regulations**: All compensations, subsidies, and tax exemptions are provided in compliance with European and national state aid regulations. Owners must ensure that their applications and utilization of funds adhere to these legal frameworks.

By fulfilling these requirements, forest owners in Romania can access financial mechanisms designed to support sustainable forest management and conservation efforts.

- Is there a right to decide about the forest management practices in their forest land?

Under Romania's new Forestry Code, forest owners retain the right to make **decisions regarding the management practices on their forest lands.** However, this autonomy is balanced by specific obligations and restrictions aimed at ensuring sustainable forest management and environmental protection. Key aspects include:

1. **Sustainable Management Obligations**: Forest owners are required to manage their forests sustainably, adhering to principles that maintain ecological balance and biodiversity. This includes compliance with national forestry regulations and management plans designed to promote long-term forest health.
2. **Public Access and Use**: The new Forestry Code grants citizens unrestricted access to forests for recreational activities, such as walking and cycling. While owners can manage their lands, they must accommodate this public right, ensuring that management practices do not infringe upon public access.
3. **Green Belt Initiatives**: Provisions for creating green belts around cities may affect how peri-urban forests are managed. Owners of such forests might face additional guidelines or restrictions to align with urban ecological objectives, balancing private management rights with broader community and environmental goals.
4. **Enhanced Protections and Restrictions**: The Code introduces stricter measures against illegal logging and expands areas where clear-cutting is prohibited, including natural parks and protected areas. Forest owners must ensure their management practices comply with these enhanced protections, which may limit certain activities to preserve ecological integrity.

- Is there a right to harvest?

Under Romania's new Forestry Code, forest owners retain the right to harvest timber from their lands. However, this right is subject to specific regulations and restrictions designed to promote sustainable forest management and environmental conservation. Key provisions include according to Article 25 specific rights for forest owners concerning timber harvesting, differentiated by the size of their forest holdings:

1. Owners with Forests up to 10 Hectares:
    - Timber Harvesting: Entitled to harvest up to 5 cubic meters of wood per hectare annually, based on the forest stand's structural characteristics. This volume can be exceeded under conditions specified in technical norms.

- **Unharvested Allowance**: Permitted to carry forward unharvested volumes to subsequent years to facilitate appropriate silvicultural practices.
- **Accidental Products**: Allowed to fully harvest accidental products, with deductions made from future annual allowable cuts, as recorded in the integrated forest information system.
- **Free Services**: Eligible for complimentary basic forestry services, including monitoring and minimal silvicultural services.
- **Forest Management Plans**: May opt to develop a simplified forest management plan, exercising the right to select target type of trees for production forests.

2. **Owners with Forests Exceeding 10 Hectares**:
    - **Target type of tree Selection**: Have the right to choose target assortments in production and protection forests, following technical norms for forest management planning, provided continuity is ensured at this level with appropriate treatments.
    - **Timber Harvesting**: Permitted to harvest wood in accordance with approved forest management plans.
    - **Accidental Products**: Authorized to fully harvest accidental products, with deductions from the allowable cut established in the management plans.
    - **Free Services**: For properties up to 30 hectares, owners are entitled to free basic forestry services, including monitoring and minimal silvicultural services.
    - **Financial Support**: Eligible for compensations and financial incentives as provided in Articles 84, 123, and 124 of the Forestry Code.

Sustainable Management Requirements: Forest owners must adhere to sustainable management practices, ensuring that harvesting activities do not compromise the ecological integrity of the forest. This includes compliance with approved forest management plans and adherence to guidelines that balance economic interests with environmental protection.

Prohibition of Commercial Logging in Certain Areas: The new code prohibits commercial logging in specific regions, notably in Ilfov County, which encompasses forests around Bucharest, including the Băneasa forest area. In these zones, only customary logging activities, such as forest maintenance, regeneration, or ecological reconstruction, are permitted. Forest owners in these areas may apply for compensation due to these restrictions.

Expansion of No Clear-Cutting Zones: The code extends the prohibition of clear-cutting to include natural parks and all protected natural areas in Romania. This measure aims to preserve biodiversity and protect critical habitats, thereby limiting harvesting methods in these regions.

Enhanced Monitoring and Penalties: To combat illegal logging, the code introduces stricter monitoring mechanisms, such as video surveillance of forest roads, and imposes harsher penalties for violations. These measures underscore the importance of lawful and sustainable harvesting practices.

Limitations to the rights of forest owner/holder

- **Is there a limitation to change the land use (from forestry to agriculture and/or urbanization)?**

Under Romania's new Forestry Code, there are stringent limitations on changing the designated use of forest land to agricultural or urban purposes. Key provisions include:

1. **Strict Regulations on Land Use Change:** The Forestry Code enforces rigorous controls to prevent the conversion of forested areas into agricultural lands or urban developments. Such changes are generally prohibited to preserve forest ecosystems and maintain environmental stability Articles 39, 41 and 47).
2. **Limited Exceptions for Construction:** In exceptional cases, construction on forest land may be permitted, but it is subject to strict conditions. For instance, **Article 41, paragraph (2):** Specifies cumulative conditions for allowing construction on forest land, including:

    - The construction and the land must be owned by the same person.
    - The maximum area that may be permanently removed from the FFN—including the building, access, and fencing—is:
        - **500 square meters** for forest properties larger than 5 hectares.
        - **1% of the total forest area**, but not more than **300 square meters**, for forest properties smaller than 5 hectares.
3. **Mandatory Reforestation:** If any forest land is cleared for authorized purposes, there is an obligation to compensate by reforesting an equivalent area. This measure ensures that the total forested area remains constant, mitigating environmental impacts. **Article 41, paragraph (3):** Allows permanent removal from the FFN only if compensation is provided, as follows:
    - The replacement land must be at least **3 times** larger in area than the land removed from the FFN.
    - The value of the replacement land must be at least **5 times** higher than that of the land removed.
4. **Penalties for Unauthorized Land Use Change:** Unauthorized conversion of forest land to other uses is subject to significant penalties, including fines and legal action. These deterrents are designed to enforce compliance with land use regulations and protect forest resources. **Article 42, paragraph (3):** Prohibits changing the intended use of any building constructed on land removed from the FFN for at least **5 years** from the date of final acceptance of the construction. If violated, legal proceedings will be initiated to cancel the approval, and the land must be restored to its original state at the beneficiary's expense. Articles 139 and the following stipulates several crimes such as:
   Article 142 – Destruction of forest vegetation

   Establishes that the unauthorized destruction of forest vegetation within the National Forest Fund (FFN) constitutes a criminal offense, punishable by imprisonment from 6 months to 7 years or a criminal fine, depending on the severity and value of the damage.

Article 143 – Unauthorized logging

Covers the unauthorized cutting of trees, setting penalties similar to Article 142.

Article 146 – Illegal change of land use in the National Forest Fund

> *"The change of the designated use of land from the national forest fund, without observing the legal provisions in force, is a criminal offense and is punishable by imprisonment from 6 months to 3 years or by a criminal fine."*

This article directly targets the unauthorized conversion of forest land to other uses (e.g., agricultural, urban, or construction) and enforces serious penalties.

Article 165 – Relation to contraventions

Clarifies that acts not severe enough to be considered crimes under the code (e.g., minor infractions) may still be sanctioned as contraventions, particularly under Law no. 171/2010.

Under the new Forestry Code (Legea nr. 331/2024), Article 38 addresses the temporary occupation of lands within the National Forest Fund (FFN). This provision permits the temporary use of FFN lands for specific purposes, provided certain conditions are met.

Key Provisions of Article 38:

1. **Permissible Purposes:** Temporary occupation is allowed for:
    - Development, extension, modernization, or decommissioning of **public utility projects** related to transportation infrastructure, utilities, water and sewage networks (including mineral waters), energy sources and networks (both conventional and renewable), communication systems, and natural gas networks.
    - Exploration of **mineral resources** such as coal, useful rocks, mineral aggregates, and ores; as well as exploration, exploitation, and transportation of oil and natural gas resources, including the installation, repair, maintenance, and decommissioning of related transport or distribution networks.
    - Establishment, extension, **modernization, or decommissioning of water and sewage sources and networks (including mineral waters), energy sources and networks** (both conventional and renewable), communication systems, recreational parks, thematic and/or educational parks.
2. **Financial Obligations:** Beneficiaries seeking temporary occupation must pay, in advance, the financial obligations specified in Article 46 of the Forestry Code.
3. **Duration:**
    - Generally, temporary occupation is approved for a maximum **period of 10 years**, with the possibility of successive extensions, each not exceeding 10 years.
    - Exceptions exist for projects of national, county, or local interest, as well as for transport and distribution works related to oil, natural gas, and electricity, where the occupation period may align with the project's execution and existence timeframe, especially if it exceeds 10 years and land restoration to forestry use is not feasible without restrictions.
4. **Rent Payment:** Annual rent must be paid by January 31st of each year for which it is due, calculated according to the methodology outlined in Article 49.

5. **Site Restoration:**

- Upon the conclusion of the temporary occupation period, the land must be restored to conditions suitable for reforestation.
- If the land is not returned in the agreed-upon condition, the deposited guarantee and any accrued interest are retained in the fund designated for the improvement of forestry land.
- The responsible forestry unit may use these funds to carry out necessary restoration works to bring the land back to the stipulated conditions.

Article 40 specifies that forest land may be permanently removed from the NFF only for certain purposes, such as:

- Exploitation of mineral resources.
- Development of tourist, leisure, religious, cultural, cemetery, sports, medical, and social facilities.
- Construction of dwellings or holiday homes on private forest land, subject to strict area limitations.
- Infrastructure projects, including water, sewerage, energy, communications, and roads.
- Exploration and exploitation of mineral and energy resources.

Area Limitations for Constructions:

- The maximum area that may be permanently removed from the FFN—including the building, access, and fencing—is:
  1. **500 square meters** for forest properties larger than 5 hectares.
  2. **1% of the total forest area**, but not more than **300 square meters**, for forest properties smaller than 5 hectares.

Compensation Requirements:

To offset the loss of forest land:

- Compensation must involve land valued at five times that of the removed land.
- The compensatory land area must be at least three times the size of the land removed from the NFF.

Approval Procedures:

The authority responsible for approving **land removal** depends on the area size:

- Up to 1 hectare: Approval by the head of the specialized territorial structure of the central public authority responsible for forestry.
- Between 1 and 10 hectares: Approval by the head of the central public authority responsible for forestry.
- Over 10 hectares: Approval by the Government.

Financial Obligations:

Prior to land removal, applicants must fulfill financial obligations, including:

- Fees for permanent removal.
- Payment for the value of the land removed.
- Compensation for loss of growth due to premature timber harvesting.

- Costs associated with establishing and maintaining forest vegetation on compensatory land.

Restrictions on Land use change:

Changing the use of constructions built on land removed from the NFF within five years of removal is prohibited. Such actions can lead to the revocation of the removal approval and require restoration of the land to its original state at the beneficiary's expense.

- **Is there a legal limitation to the right to harvest? Is there a ban on clear cutting?**

Under **article 71 of Romania's new Forestry Code**, clear-cutting practices are subject to specific limitations to promote sustainable forest management. The application of clear-cutting is permitted only under certain conditions:

1. **Species-Specific Application**: Clear-cutting is allowed primarily in stands of Norway spruce, pine, larch, Euro-American poplar, and selected willow. This method is also applicable in cases where forest stands require substitution or restoration, and alternative treatments are not feasible.
2. **Area Restrictions**: The maximum area for clear-cutting is limited to 3 hectares. However, for Euro-American poplar and selected willow stands located within embanked enclosures requiring mechanized soil preparation for reforestation, the permissible area extends up to 5 hectares. Additionally, a minimum distance of two tree heights must be maintained between clear-cut parcels. Adjacent clear-cut parcels are allowed only after the previously harvested areas have achieved a continuous forest cover.
3. **Protected Areas**: The use of clear-cutting is prohibited in natural protected areas, with the exception of stands with short production cycles.

- **Are there limitations to carry out non-forest activities in forest land (like mining, energy plants, etc.)?**

Under Romania's new Forestry Code, the permanent removal of land from the National Forest Fund (NFF) is subject to strict regulations to ensure the preservation and sustainable management of forested areas. Articles 40 and 41 delineate the conditions under which such removal is permissible, distinguishing between scenarios that require compensation and those that do not.

Permanent Removal Without Compensation (Article 40):

- Certain **projects deemed of public utility or strategic national interest** may warrant the permanent removal of land from the NFF without the obligation of compensation. These include:
- **Public Utility Projects**: Development or expansion of objectives or works declared of public utility at national, county, or local levels, upon request by the beneficiary or expropriator.
- **Meteorological and Telecommunications Infrastructure**: Installation or expansion of components of the national meteorological surveillance network and special telecommunications infrastructure, upon request by the National Meteorological Administration or the Special Telecommunications Service.

- Defense and Security Installations: Placement or expansion of production and/or service capacities for defense with strategic importance for national security, upon request by the beneficiary entity.
- **State Border Security**: Projects within the Integrated System for State Border Security, as well as investment, modernization, and expansion works for public order and safety objectives, upon request by the Ministry of Internal Affairs.
- **Military Objectives:** Investment, modernization, and expansion works for military objectives in the field of national defense, upon request by the relevant ministry.
- **Mining Operations:** Mining works declared of national interest and public utility for the exploitation of lignite deposits, executed on forest lands acquired by state-owned or majority state-owned economic operators, under specific conditions.
- **Natural Gas Extraction:** Placement of natural gas extraction capacities for works of national interest, upon request by the beneficiary entity.
- **UNESCO Archaeological Sites:** Areas where archaeological sites inscribed in the UNESCO World Heritage list are located, upon request by the central public authority for culture.
- **Public Cemeteries:** Development or expansion of cemeteries belonging to the public domain of administrative-territorial units, upon their request.
- **Religious Buildings:** Construction of places of worship for religious objectives.

For these cases, the removal is executed without the need for compensatory land or payment of the fees typically associated with such removal. However, if the beneficiaries are entities engaged in economic activities, the removal must comply with European and national state aid regulations.

Permanent Removal With Compensation (Article 41):

In other instances, permanent removal from the NFF is permissible only with compensation, ensuring **no net loss of forested land.** Such cases include:

- **Mineral Resource Exploitation:** Activities involving the exploitation of mineral resources as defined by applicable mining laws.
- **Tourism and Social Infrastructure:** Development of tourist, recreational, religious, cultural, sports, medical, and social facilities, including pontoons for boats in specific administrative areas.
- **Residential Construction:** Building of residences or vacation homes on privately-owned forest lands, excluding counties deficient in forests.
- **Pre-1990 Installations:** Objectives installed in the NFF before 1990 or assets sold by Romsilva with associated land under concession.
- **Historical Monuments and Hydrotechnical Works:** Construction related to historical monuments and hydrotechnical or aquaculture structures.

Compensation involves providing alternative land that meets specific criteria:

- **Area Requirement:** The compensatory land must be at least three times the area of the land being removed.

- **Value Requirement:** The value of the compensatory land must be five times that of the land being removed.

For **residential constructions**, additional conditions apply:

- **Ownership Consistency**: The construction and the land must be owned by the same individual.
- **Area Limitations:** The maximum area subject to removal, including the building, access, and fencing, is capped at 500 square meters for properties larger than 5 hectares, and 1% of the property area, but no more than 300 square meters, for properties smaller than 5 hectares.

Exceptions to the standard compensation requirements include cases where the area removed is less than 50 square meters. In such situations, the beneficiary may opt to pay a sum five times the value of the land into the land improvement fund designated for forestry purposes, in lieu of providing compensatory land.

- **Are there specific limitations to carry out agricultural activities, like extensive grazing or temporary cultivation, on forest land?**

  Article 78 of the Forestry Code outlines the following provisions:

  1. **Prohibition of Grazing in Certain Areas:** Grazing is strictly forbidden in forest protection belts and in areas designated for the rehabilitation of degraded lands.
  2. **Exceptions for Emergency Situations**: The Forest Guard may permit grazing in the FFN under emergency circumstances, provided all the following conditions are met:
     - The grazing period is limited in duration.
     - Grazing is confined to specific areas within the forest.
     - Approval requests are submitted by local public authorities.
     - Consent has been obtained from both the forest landowner and the forestry service provider.
  3. **Prohibition in Regeneration and Young Plantations:** Grazing is prohibited in forest stands undergoing regeneration, young plantations, and in forest stands classified under functional types I and II.
  4. **Approval for Passage of Domestic Animals:** The movement of domestic animals through FFN lands to grazing, watering, or shelter areas requires approval from the forestry district, along with the landowner's consent. Such passages must follow designated routes and specified periods. For state-owned public forests, approvals are issued by the heads of the structures mentioned in Article 12, paragraph (1), letter a.
  5. **Prohibition of Animal Passage in Sensitive Areas:** The transit of domestic animals through forests is forbidden in areas undergoing regeneration, young plantations, national protected natural areas, rehabilitation perimeters, and forest protection belts.
  6. **Placement of Beehives:** With the forestry district's approval, the free placement of beehives is allowed on state-owned public FFN lands during the pastoral season.
  7. **Payment Agreements:** The payment amounts for the activities mentioned in paragraphs (2) and (5) are determined through mutual agreement between the involved parties.

- **Is hunting right linked to ownership right? Is it considered a forest activity or does it have specific regulations?**

In Romania, hunting **rights are not inherently linked to land ownership.** Instead, hunting activities are regulated by specific legislation, notably the Law on Hunting and the Protection of Game (No. 407 of 1996). This law outlines the administration and management of the country's hunting resources, establishing that hunting rights are managed by designated authorities rather than individual landowners.

- The General Association of Sports Hunters and Fishermen (AGVPS) is the primary organization overseeing hunting activities in Romania. Established in the late 19th century.
- The National Forest Administration – **Romsilva** is a Romanian state-owned enterprise responsible for the protection, preservation, and development of publicly owned forests, as well as the management of hunting and fishing grounds.

In the realm of hunting, Romsilva's responsibilities include:

- **Management of Hunting Grounds**: Romsilva oversees 242 hunting funds, ensuring sustainable and legal hunting practices.
- **Organization of Hunting Activities**: The administration organizes hunting events for both Romanian and international hunters, adhering to national regulations and ethical standards.
- **Anti-Poaching Efforts**: Romsilva actively participates in preventing and combating poaching, collaborating with relevant authorities to protect wildlife and maintain ecological balance.
- **Utilization of Game Products**: The organization capitalizes on products derived from hunting activities, such as game meat and trophies, contributing to its revenue streams.

According to Article 32, paragraph (4) of the Romanian Forestry Code, the National Forest Administration—Romsilva—is authorized to utilize state-owned public forest lands under its administration for the **establishment of game breeding facilities and hunting complexes**, as well as for the development of infrastructure necessary to ensure the management of the protected natural areas it oversees.

This organization is responsible for regulating hunting seasons, harvest numbers, and enforcing laws against poaching and illegal logging.

While forest owners have certain rights concerning the management of their land, hunting is considered a distinct activity with its own set of regulations. Therefore, **possessing forested land does not automatically grant the owner the right to hunt on that land.** Individuals interested in hunting must adhere to the specific legal requirements set forth by Romanian authorities, including obtaining the necessary permits and licenses.

- Are there citizens' rights to collect wild products in forest land? Are they linked to the ownership right or not?

Article 99, paragraph 4, specifies **Non-Wood Forest Products (NWFPs)** as:

- **Forest fruits**
- **Forest seeds**
- **Truffles and other edible mushrooms from spontaneous flora**
- **Medicinal and aromatic plants from the forest**
- **Resin**
- **Other products**

Regulations for Harvesting NWFPs:

According to Article 99, paragraph 5, the **collection of NWFPs requires the consent of the manager of the** public forest property or the **owner's consent** in other cases. The specific conditions for collection are established through an order issued by the head of the central public authority responsible for forestry.

However, paragraph 6 provides an **exception: for household use, individuals** may collect NWFPs without obtaining prior consent from the administrator or owner. This facilitates traditional practices and supports local subsistence needs.

Support for Forest-Dependent Communities:

Article 100 outlines measures to assist communities that rely heavily on forest resources:

1. **Definition:** Local communities traditionally dependent on forests for subsistence, cultural identity, or socio-economic improvement are recognized. Criteria to determine them include dependence on forest resources, feasibility of obtaining resources elsewhere, traditional forest-related activities, and sustainable harvesting practices.
2. **Identification:** Procedures for identifying these communities and the specific forest areas they depend on will be established through a government-approved methodology.
3. **Rights:** For public forest properties providing essential resources to these communities, the transfer of NWFP harvesting rights is prohibited. Administrators or owners must grant free access to these communities for personal use of NWFPs, such as truffles, mushrooms, medicinal and aromatic plants, and resin, in compliance with legal harvesting conditions.
4. **Economic Development:** The utilization of timber and procurement of services from public forest properties should contribute to the socio-economic development of these communities.
5. **Special Provisions:** Beneficiaries under Law No. 33/1996 regarding the restoration of certain economic rights to the inhabitants of the Apuseni Mountains are considered forest-dependent communities and enjoy the rights granted to such communities.

- **Are there rights to access (walking) on forest land? Are there specific regulations for public use of forest land, hiking, riding, biking, etc.?**

Under Romania's Forestry Code, Article 58 outlines the regulations for recreational access to National Forest Fund (FFN) lands:

General Access:

Individuals are permitted to access FFN lands on foot or by bicycle freely and at their own risk, provided no damage is caused. However, managers or forest owners may temporarily restrict access in specific areas due to:

- Fire risk.
- Ongoing forestry operations or hunting activities.
- Strict protection zones where environmental considerations prohibit entry.
- Other areas as specified in Article 1, paragraph (3), letter g, excluding forest roads, unless located within the restricted perimeters.

Management structures can temporarily limit access to ensure personal safety, with visible postings of such restrictions.

In forests within protected natural areas, public access may be restricted according to the management plans of those areas.

Trail Development:

Establishing trails for walking, running, horseback riding, and cycling within FFN lands requires:

- Consent from the administrator for public or state-owned private forests.
- Consent from the owner for other property types.
- Approval from the protected area's administrator if within a protected natural area.

Trail Specifications:

- Trails must be constructed using earth, wood, and gravel.
- Such developments do not necessitate removal or temporary occupation from FFN, nor require construction permits.
- A maximum of five trees per hectare may be harvested for trail establishment.

Vehicle Access: Public access with motorized or animal-drawn vehicles is prohibited with the **exception of:**

  - Events involving motorized vehicles may be organized outside protected natural areas on marked routes, with consent from the public land manager or owner, as applicable.

Transit Access: Transit on forest roads with motorized or animal-drawn vehicles may be allowed under conditions set by the owner/administrator when roads serve tourist, utility, or recreational objectives, provided FFN integrity is not compromised.

Safety Zones:

- Forest roads provide servitude access to decantation ponds.
- A safety zone up to 30 meters wide from the pond or water management system boundary is established for operational safety and structural security.

Forest owner/holder obligations and requirements.

- **Which requirements or obligations regarding forest management are imposed on owners?**

Under Romania's new Forestry Code, forest owners are subject to specific obligations to ensure sustainable forest management and conservation. These obligations vary based on the size of the forest property.

General Obligations for All Forest Owners:

All forest owners and holders of land within the National Forest Fund (FFN) are required to adhere to the forestry regime. This includes:

- Ensuring the integrity of the forested land.
- Implementing measures for the prevention and suppression of fires, as well as the prevention and control of diseases and pests affecting forests.
- Maintaining clear boundary markers in accordance with property documents and keeping them in proper condition.

Obligations for Owners of Forest Properties Exceeding 10 Hectares:

Owners with forest properties larger than 10 hectares have additional responsibilities, including:

- Developing and adhering to forest management plans.
- Ensuring the administration or provision of forestry services as stipulated by law.
- Carrying out necessary forest regeneration works.
- Monitoring annual regeneration efforts.
- Performing maintenance and management activities for forest stands.
- Harvesting timber only after proper evaluation, authorization of logging areas, and issuance of specific documents by authorized personnel.
- Maintaining and repairing forest roads within their property.

Obligations for Owners of Forest Properties Up to 10 Hectares:

Owners with forest properties of up to 10 hectares have obligations such as:

- Ensuring the protection and provision of minimal services in accordance with legal provisions.
- Carrying out forest regeneration works based on technical solutions provided by the forestry district with which they have a protection and minimal services contract.
- Complying with regulations regarding the evaluation of timber intended for sale and the transportation of timber materials.

Obligations for Owners of Forest Vegetation Outside the National Forest Fund:

Owners of forest vegetation outside the FFN are required to:

- Adhere to regulations concerning the evaluation and sale of timber, as well as the transportation of timber materials.

- Implement measures for the prevention and suppression of fires, and the prevention and control of diseases and pests affecting forests.

Ecosystem Services Obligations:

Forest owners and managers must ensure conditions for the provision of minimal ecosystem services by forests, which include:

- Guaranteeing forest regeneration.
- Preventing land and forest degradation.
- Promoting natural regeneration when technically feasible.
- Conserving and enhancing biodiversity.
- Ensuring the continuous sustainable production of timber in forests designated for production.

These obligations are established to promote sustainable forest management, protect biodiversity, and maintain the ecological balance within Romania's forests.

- Is there a tax imposed on forest ownership?

According to Article 464 paragraph 1 letter w from the Fiscal Code[25], the owners of **forest areas**, other than those under public ownership, for which timber production processes are not regulated, including certified forests and stands with trees up to 20 years old, **are exempted from taxes for land property.**

Under the new Romanian Forestry Code, forest owners are generally required to enter into contracts for the provision of basic forest services (including security) by the administration and pay the relevant fees. Those basic forestry services aim to ensure proper management and protection of the forest lands. However, **Article 25, letter d)** introduces **an exemption for owners of small forest plots.** Specifically, this provision states that owners of forest parcels **less than 30 hectares** are exempt from paying fees for these services. This exemption aims to alleviate the financial burden on small forest holders, encouraging sustainable forest management practices among private owners with limited resources.

It's worth noting that while the tax fee exemption applies, these owners are still obliged to sign contracts for the provision of security and minimal forestry services. This contractual agreement ensures that all forest areas, regardless of size, receive appropriate oversight and management, contributing to the overall health and sustainability of the nation's forests.

- What type of permits the forest owner needs to manage their land?

  In Romania, forest owners are required to obtain specific permits and adhere to certain regulations to manage their forest lands legally and sustainably. The key requirements include:

  1. **Forest Management Plan (FMP), Article 61 and the following:**
     - All forest properties, regardless of size or ownership type, must have an approved Forest Management Plan. This plan outlines the management activities, including harvesting, conservation, and regeneration practices, ensuring sustainable forest management. The plan must be developed by certified forestry professionals and approved by Ministry of Environment Waters and Forests who approves the forest

[25] The Fiscal Code approved by Law no 227/2017, https://legislatie.just.ro/Public/DetaliiDocument/171282

management plan by order based on the environmental regulatory permit issued by the Environmental Protection Agency.

2. **Harvesting Permits (Article 103 of the Forestry Code)**
    - Before any timber harvesting, forest owners must obtain an operating permit issued by the authorized forest district (Article 35 of the Forestry Code). This permit ensures that the planned harvesting aligns with the approved Forest Management Plan and complies with national forestry regulations.
3. **Affiliation with a Forest District:**
    - Forest owners are required to associate their forest lands with an authorized forest district responsible for overseeing and ensuring compliance with sustainable management practices. This affiliation is mandatory for all forests, irrespective of ownership.
4. **Environmental and Construction Permits:**
    - If the management activities involve construction within the forest area, such as building dwellings or holiday homes, owners must obtain the necessary environmental and construction permits. The Forestry Code stipulates strict conditions for such constructions, including limitations on the area that can be removed from the forest fund and requirements for compensation.

- **How is the control of forest harvest determined? Is there an obligation to mark every tree to be cut or retained?**

  In Romania, the control of forest harvesting is governed by a series of regulations[26] designed to ensure sustainable forest management and prevent illegal logging. A critical component of these regulations is the mandatory marking of trees designated for cutting.

  Tree Marking Requirements:

  - **Mandatory Marking:** Before any harvesting activity, trees selected for cutting must be marked by authorized personnel from the respective forest district. This process involves a thorough inventory and marking of each tree, ensuring that only those specified in the Forest Management Plan are harvested.
  - **Volume Estimation Document (VED):** Following the marking, the volumes to be harvested are recorded in the Volume Estimation Document. This document serves as the basis for legal harvesting and subsequent sale of timber.

  Control Mechanisms:

  - **Harvesting Permits:** Harvesting can commence only after obtaining a permit from the forest district, which verifies compliance with the approved management plan.
  - **Monitoring:** The harvesting process is monitored by forest managers who conduct periodic checks to ensure adherence to legal and environmental standards.
  - **Timber Tracking System (SUMAL):** Romania employs an **electronic timber tracking system** known as SUMAL. This system records all harvested timber, generating unique

[26] Government Decision no. 715/2017, which approves the Regulation on the marketing of timber from publicly owned forests in Romania, https://legislatie.just.ro/Public/DetaliiDocument/264172,
Order no. 1540/2011, which lays out the technical norms for tree marking, volume estimation, and timber harvesting in Romania, https://legislatie.just.ro/Public/DetaliiDocument/129446.

codes for each transport, thereby enhancing traceability and control over timber movements.

- **Are there technical, administrative or economic specifications on the forest products market? Are forest harvest contracts legally defined for public or private forests or for some specific types?**

In Romania, the forest products market is regulated through a combination of technical, administrative, and economic specifications aimed at ensuring sustainable forest management and legal compliance. The **new Forestry Code**, adopted in December 2024, introduces several key measures that impact both public and private forest management. The Governmental Decision no 497/2020 for the approval of the Norms regarding the origin, movement, and marketing of wood materials, the regime of wood material storage spaces and round wood processing installations, as well as those concerning the origin and movement of wood materials intended for the owner's personal use, and certain measures for the application of the provisions of Regulation (EU) No. 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market.

Technical Specifications:

- **Forest Management Plans (FMPs):** All forest owners are required to develop and implement Forest Management Plans, which outline sustainable harvesting practices, conservation measures, and regeneration activities. These plans must be approved by the relevant forestry authorities and are essential for legal timber harvesting. Without an approved FMP, forest owners cannot obtain harvesting permits, mark trees legally, or sell timber through legal channels.

Key Provisions for Forests Smaller Than 10 ha

1. Exemption from Full Forest Management Plans

- Forests **under 10 ha in surface area** are generally **exempt from the obligation to have a full Forest Management Plan (FMP).**
- Instead, they are managed based on **simplified technical norms** or **special guidelines** issued by the forestry authority (e.g., **Garda Forestieră**).

2. Obligation to Follow Sustainable Use Rules

- Even without full FMP, owners must follow **strict legal rules regarding tree cutting, conservation, and regeneration.**
- **Any harvesting** must still be approved by the forest authority and comply with:
  - Marking by authorized personnel,
  - A **Volume Estimation Document (VED),**
  - A valid **harvesting permit.**

3. Registered Forest Parcel (UP) and Oversight

- These small forests are still included in the national forest inventory.
- Owners must notify or register their forest with the **local forest district** (ocol silvic), and are encouraged to **contract forest guarding services** with a certified forestry unit.

4. Limits on Logging Without Management

- Unauthorized or unregistered harvesting is considered **illegal logging**, even if the forest is smaller than 10 ha.
- Fines and sanctions apply if:
    - Trees are cut without marking or permits,
    - The volume exceeds the thresholds set by the law,
    - Harvesting occurs without professional oversight.

5. Environmental Restrictions Still Apply

- Forests under 10 ha located in **protected areas (e.g., Natura 2000 sites, nature parks)** are subject to additional restrictions, including:
    - Prohibitions on clear-cutting,
    - Prior environmental approval,
    - Consultation with the environmental authority.

Administrative Specifications:

- **National Forestry Registry:** The new Forestry Code mandates the establishment of a National Forestry Registry to record forestry operations and ensure transparency in forest management activities. This registry aims to monitor compliance with forestry regulations and facilitate oversight by authorities.
- **Harvesting Permits:** Prior to any timber extraction, forest owners must obtain specific permits from authorized forest districts. These permits are issued based on adherence to the approved Forest Management Plans and compliance with national forestry laws.

Economic Specifications:

- **Timber Sales Contracts:** The sale of timber is typically formalized through contracts that specify the volume, quality, and price of the timber, as well as the responsibilities of each party. These contracts must comply with national regulations to ensure fair trade practices and prevent illegal logging.

Forest Harvest Contracts:

- **Public Forests:** In public forests, harvesting operations are often conducted by entities selected through competitive bidding processes. Contracts awarded to these entities include strict stipulations regarding sustainable harvesting methods, reforestation obligations, and adherence to environmental standards.
- **Private Forests:** Private forest owners may enter into contracts with certified logging companies to manage harvesting activities. These contracts must align with the owner's Forest Management Plan and comply with national forestry regulations.

The implementation of the new Forestry Code reflects Romania's commitment to enhancing the legal framework governing forest management, aiming to balance economic interests with environmental protection and sustainable resource use

- Is there an obligation to prevent forest fires or other risks?

Article 94 of Romania's Forestry Code delineates the general obligations of **forestry personnel** assigned to protective duties, emphasizing their critical role in preventing and managing forest fires.

Key Provisions:

1. Knowledge of Vulnerable Areas:
    - Forestry personnel must identify and understand vulnerable locations within the forest areas under their protection to prevent activities that could harm the forest.
2. Patrolling for Fire Prevention:
    - Personnel are required to conduct patrols, especially in high-risk zones and periods, to prevent forest fires.
    - In the event of a fire outbreak, they must alert the forest district and other authorized institutions and take immediate action to contain and extinguish the fire.
3. Enforcement and Reporting:
    - They are tasked with stopping and identifying individuals suspected of committing offenses or illegal acts within the protected forest areas.
    - Any incidents that could harm the forest must be promptly reported to the police, and personnel should assist law enforcement agencies as needed.
4. Use of Defensive Equipment:
    - During service, personnel must carry assigned defensive tools and weapons, using them only in situations and conditions specified by law.
5. Evidence Preservation:
    - Upon identifying offenses, they must secure and preserve evidence until the arrival of authorized control personnel or criminal investigation bodies.

Article 94 underscores the proactive role of **forestry personnel in safeguarding forest integrity**, particularly concerning fire prevention and response. By mandating regular patrols and immediate action during fire incidents, the legislation ensures that trained individuals are at the forefront of early detection and rapid response, crucial for minimizing fire damage.

The requirement for personnel to be familiar with vulnerable areas enables targeted monitoring and preventive measures, enhancing overall forest protection. Additionally, the obligation to collaborate with law enforcement and preserve evidence highlights a comprehensive approach to addressing illegal activities that may compromise forest health.

In essence, Article 94 integrates the duties of forestry personnel with broader fire prevention and management strategies, reinforcing Romania's commitment to preserving its forest ecosystems through vigilant and coordinated efforts.

- **Is fencing or the use of forest roads regulated?**

In Romania, both fencing and the use of forest roads are subject to specific regulations aimed at ensuring sustainable forest management and environmental protection.

The construction of fences within forested areas is regulated to balance land use with conservation efforts. According to the Forestry Code, permanent removal of land from the national forest fund for purposes such as dwellings or holiday homes is permissible under certain conditions.

The maximum area that may be permanently removed from the FFN—including the building, access, and fencing—is:

- **500 square meters** for forest properties larger than 5 hectares.
- **1% of the total forest area**, but not more than **300 square meters**, for forest properties smaller than 5 hectares.

Additionally, the construction of fences may require specific authorizations, depending on their type and location. Certain types of fences might be exempt from authorization; however, compliance with urban development and environmental regulations is mandatory.

Forest Road Regulations:

Forest roads are essential for accessing forested areas, facilitating management activities, and supporting firefighting efforts. The development and maintenance of these roads are governed by the Forestry Code and related legislation. Notably, the new Forestry Code mandates the monitoring of forest roads through video surveillance and technical recording systems to combat illegal logging and enhance forest protection.

Historically, the majority of Romania's forest roads were constructed between 1960 and 1985, with a significant reduction in construction thereafter. Currently, approximately 2.2 million hectares of forest land lack access via transport roads. Addressing this gap is a priority in Romania's forest policy, with an emphasis on environmentally oriented planning, design, and location of forest roads.

- **Is there an obligation for forest owners and/or forest managers to be associated?**

In Romania, while forest owners are not mandated to form associations, they are legally required to contract forestry services to ensure sustainable management and protection of their forest lands.

Obligation to Contract Forestry Services:

According to the Romanian Forestry Code, forest owners must engage authorized forestry service providers for various essential activities, including:

- Forest Management Planning: Developing and implementing management plans that align with national forestry regulations.
- Security and Integrity: Ensuring the protection of the forest against illegal activities and natural threats.
- Regeneration and Maintenance: Carrying out necessary works for forest regeneration, care, and pest or disease control.

- Fire Prevention and Control: Implementing measures to prevent and combat forest fires.

These services must be provided by certified forestry professionals or entities authorized by the central public authority responsible for forestry.

Forest manager/contractor obligations

- **Which requirements or obligations on forest management are legally imposed on forest managers/contractors?**

Integrated forest information system. Forest managers are obligated to participate in this system, facilitating the traceability of timber from harvest to market.

Legal Compliance and Sanctions: The Forestry Code defines new forestry offenses, including the falsification of forestry-related computer data and false statements in computer declarations, punishable by imprisonment. Forest managers must ensure compliance with all legal requirements to avoid severe penalties.

Public Access and Recreational Use: The new Forestry Code guarantees unrestricted public access to forests for recreational activities, including walking and cycling. Forest managers must accommodate this access while ensuring the protection and sustainability of forest resources.

- **What legal rights does the forest manager/contractor have in your country?**

In Romania, **forest managers and contractors** are endowed with specific legal rights to facilitate effective and sustainable forest management. These rights include:

1. **Right to Develop and Implement Management Plans:**
    - Forest managers have the authority to create and execute forest management plans tailored to the specific needs and conditions of the forests under their supervision. These plans must align with national forestry policies and sustainable management principles.
2. **Right to Access and Utilize Forest Resources:**
    - Within the framework of approved management plans, forest managers can access and utilize forest resources, including timber and non-timber products. This utilization must adhere to sustainable practices and legal regulations to ensure the conservation of forest ecosystems.
3. **Right to Enforce Forest Protection Measures:**
    - Forest managers are empowered to implement measures that protect forests from illegal activities, pests, diseases, and fires. They can establish monitoring systems and collaborate with law enforcement agencies to safeguard forest integrity.
4. **Right to Engage in Commercial Activities:**
    - Forest managers may enter into contracts for the sale of forest products derived from sustainable management practices. They can also engage in ecotourism and other activities that promote the economic value of forests while ensuring their preservation.

5. **Right to Receive Support and Incentives:**
    - The Romanian government provides various forms of support, including financial incentives and technical assistance, to forest managers committed to sustainable practices. Managers have the right to access these resources to enhance forest management and conservation efforts.

- Is there a requirement of a forest management plan? Are there detailed prescriptions on that?

In Romania, the **Forest Code** mandates the development of a **forest management plan** (*amenajament silvic*) for managing lands within the National Forest Fund (FFN) exceeding 10 hectares. These plans are crucial for ensuring sustainable and effective forest administration.

Requirements and Detailed Prescriptions:

1. **Mandatory Development of Forest Management Plans:**
    - According to Article 63, paragraph (2) of the Forest Code, the development of forest management plans is obligatory for FFN lands exceeding 10 hectares. The minimum area for which a forest management plan must be developed is 100 hectares. For lands up to 100 hectares, the regulation of timber production processes is conducted at the management unit level or based on structural management decisions at the stand level, provided continuity is ensured at this level by applying appropriate treatments.
2. **Validity Period:**
    - Starting from 2025, forest management plans are developed for a period of 20 years, except for those prepared for poplar, willow, and other fast-growing species, which are developed for periods of 5 or 10 years.
3. **Fundamental Principles:**
    - The development of forest management plans must adhere to the following principles:
        - **Principle of continuity**: Ensuring the maintenance and regeneration of forest resources.
        - **Principle of functional effectiveness**: Optimizing the ecological, economic, and social functions of forests.
        - **Principle of conservation and improvement of biodiversity**: Protecting biological diversity and natural habitats.
        - **Economic principle**: Promoting economically efficient management while ensuring resource sustainability.
4. **Development and Approval:**
    - Forest management plans are developed for production and/or protection units based on technical norms for forest planning. These norms are elaborated and approved by the central authority responsible for forestry. The development process involves public consultation and the possibility of public participation in approval meetings.
5. **Exceptions and Updates:**

- During the validity period of a forest management plan, the approval of another plan for the same land is prohibited, except in specific situations such as:
  - Exceeding the harvested timber volume compared to the initially established amount.
  - Restitution of forest lands.
  - Owner's request to unify properties under a single management plan.
  - Administrative reorganization of forest districts.
  - Final judicial decisions imposing modifications.

- Is there an obligation to register the responsibility of forest manager/contractor?
  - i. Is registration based on product income?
  - ii. Is there a registration fee?

In Romania, **forest management services are mandatory for all forests**, regardless of ownership. These services must be provided through forest districts authorized by registration in the National Register of Forest Managers and Forest Districts.

Order No. 1,112 of November 23, 2018[27], issued by the Ministry of Waters and Forests, approves the content of the national registry of forest administrators and forestry districts, the model documents for their establishment, organization, and operation, the procedure for the establishment and authorization of all forestry districts, and their responsibilities.

This order establishes the legal framework for the sustainable management of forests through authorized forestry districts, regardless of ownership form. It also details the procedures and conditions necessary for the establishment and operation of forestry districts, including technical assistance provided by the territorial structures of the central public authority responsible for forestry.

It's important to note that subsequent amendments were made to this order by **Order No. 375 of February 21, 2024**, which adjusted certain provisions related to the establishment and authorization of forestry districts

Registration Requirements:

- **Obligation to Register:** Forest managers and contractors are required to register with the National Register of Forest Managers and Forest Districts to legally offer forest management services (Article 12 para 3 Forestry Code).
- **Basis of Registration:** The registration process is primarily based on compliance with legal and professional standards rather than the product income of the forest manager or contractor.
- **Registration Fee: not known**

- Is there a tax imposed on the forest manager? Is it based on income or hectares?

As mentioned, Article 464 paragraph 1 letter w from the Fiscal Code[28], provides for an exemption from land property taxes to the owners of **forest areas**, other than those under public ownership, for which timber production processes are not regulated, including certified forests and stands with trees up to 20 years old.

[27] https://legislatie.just.ro/Public/DetaliiDocument/208649
[28] The Fiscal Code approved by Law no 227/2017, https://legislatie.just.ro/Public/DetaliiDocument/171282

While the Forestry Code, requires forest owners to enter into contracts for the provision of basic forest services and pay the relevant fees, **Article 25, letter d)** of the Forestry Code, introduces **an exemption for owners of small forest plots**. Specifically, this provision states that owners of forest parcels **less than 30 hectares** are exempt from paying fees for these services. This exemption aims to alleviate the financial burden on small forest holders, encouraging sustainable forest management practices among private owners with limited resources.

The Forestry Code outlines several financial obligations for forest managers:

1. **Regeneration and Maintenance Costs**: Forest managers are required to ensure the regeneration of forests and carry out necessary maintenance work. If a manager fails to fulfill these duties, the territorial structure of the central public authority responsible for forestry will oversee the execution of these tasks through authorized entities. The costs incurred will be borne by the forest manager.
2. **Financial Liabilities for Land Use Changes**: In cases where forest land is temporarily or permanently removed from the National Forest Fund for other uses, forest managers are obligated to cover specific financial liabilities, including:
    - **Guarantee Payments**: Equivalent to the tax for the permanent removal of land from the National Forest Fund, paid in advance and deposited into the fund for the improvement of land designated for forestry.
    - **Compensation for Growth Loss**: Payments to account for the loss of growth due to early timber harvesting, which are paid to the landowner or, in the case of state-owned forests, to the administrator.
    - **Reforestation Costs**: Expenses related to re-establishing forest vegetation and maintaining it until a stable forest state is achieved, deposited into the conservation and regeneration fund.
3. **Administrative Fees**: Forest managers must cover the costs associated with the development and adherence to forest management plans (amenajamente silvice). For state-owned forests, these expenses are borne by the administrator.
4. **Penalties for Non-Compliance**: Failure to adhere to the obligations set forth in the Forest Code can result in financial penalties, including fines and potential compensation for damages caused by non-compliance.

5. Forest Management plans

- Are forest management plans required in the legislation of your country?

  ☒ **Yes**
  ☐ No

  Specify where and the conditions as well as the amount of forest land with plans

Forest management plans are mandatory for lands exceeding 10 hectares. They must align with national guidelines for sustainability and biodiversity conservation. Forest management plans are legally binding for properties over 10 hectares (Art. 63). These plans must:

- Include ecological, economic, and technical assessments.
- Be updated regularly to ensure alignment with national and EU standards.
- Address biodiversity conservation and carbon sequestration goals.

There is no public evidence on the amount of forest land with forestry management plans.
For lands of 10 hectares or less, only some parts of FMP are required (*see below*).

- Are there other type of plans required such as:

  ☐ Technical Plan
  ☐ Financial Plan
  ☐ Exploitation Plan
  ☐ Fire prevention Plan
  ☒ **Hunting Plan**

- Please indicate the minimum size of forest requiring a forest management plan?

  In Romania, **forest management plans (FMPs)** are mandatory for all forests, regardless of size. However, the **content of the FMP** and the **frequency of their revision** differ based on the size of the forest holding:

  - **Holdings larger than 10 hectares**: FMPs are revised according to Article 63 para 5 and 5^1 form the Forest Code, as it follows:
  - (5) Starting from the year 2025, up for a period of 20 years, except for those prepared for poplar, willow, and other fast-growing species, which shall be drawn up for a period of 5 or 10 years.
  - (5') Forest management plans for which the First Forest Planning Conference was organized before December 31, 2024, shall be approved for a period of 10 years, except for those prepared for poplar and willow forests, which shall be drawn up for a period of 5 years.
  - **Holdings of 10 hectares or less**: While certain chapters of FMPs are still required, the specific frequency of revision may vary and is subject to the regulations set by the central public authority responsible for forestry. The obligations are provided by Article 23 paragraph 4:
  - to have the property boundaries marked by boundary signs, in accordance with the ownership documents or, as the case may be, with cadastral documents, and to maintain them in proper condition;

- to ensure security and minimal services in accordance with the provisions of Article 27;
  c) to carry out forest regeneration works based on the technical solution provided by the forest district (ocol silvic) with which they have a contract for security and minimal services;
  d) to comply with regulations regarding the evaluation of timber intended for commercialization and the circulation of wood materials.
- And article 24 paragraph 3 letter a: To ensure providing minimal ecosystem services, in accordance with Article 23(4).

These plans must be developed by authorized and specialized forest management planning companies. All management activities are based on the current legal framework, including the Forest Law and specific technical norms.

- On which legal basis are they required? Are they legally binding or only guidelines?

In Romania, the requirement for **forest management plans (amenajamente silvice)** is established by the **Forest Code**. According to this legislation, all forests, regardless of their size or ownership, must be managed based on an approved forest management plan. These plans are legally binding documents that outline the necessary measures for sustainable forest management, including conservation, regeneration, and utilization practices. The development and implementation of these plans are mandatory, ensuring that forest resources are managed responsibly and in accordance with national forestry policies.

- Who has the responsibility for the implementation of forest management plans? Please include national, regional, and local levels as appropriate. Please distinguish between state and private ownership. Please distinguish between different protection status.

In Romania, the responsibility for implementing **Forest Management Plans (FMPs)** is delineated based on ownership type, administrative levels, and the protection status of the forests:

State-Owned Forests:

- **National Level:** The **National Forest Administration (Romsilva)** is the state-owned enterprise tasked with managing approximately 48% of Romania's forests (Approximately 3 million hectares of state-owned forests[29]). Also, Romsilva provides s for around 1 million hectares of privately or communally owned forests. Romsilva oversees the development and execution of FMPs, ensuring sustainable management practices are adhered to across the nation's public forests.
- **Regional and Local Levels:** Romsilva operates through regional branches and local forest districts, which are responsible for the on-the-ground implementation of FMPs. These subdivisions handle activities such as reforestation, conservation, and timber harvesting, aligning with the guidelines set forth in the FMPs.

Privately Owned Forests:

- **Private Owners:** Individual and communal private forest owners are legally obligated to manage their forests in accordance with approved FMPs. Given the fragmented nature

[29] The European State Forest Association (EUSTAFOR),
Romsilva, https://eustafor.eu/members/romsilva/?utm_source=chatgpt.com

of private ownership, with many holdings being small-scale[30], owners often face challenges in fulfilling these responsibilities.

- **Authorized Forest Management Companies:** Due to the complexities involved, private owners frequently engage authorized forest management companies to develop and implement FMPs on their behalf, ensuring adherence to legal and sustainable management practices.

Forests with Special Protection Status:

- **Protected Areas:** Forests designated as national parks, nature reserves, or Natura 2000 sites have specific management requirements. In these areas, FMPs must align with conservation objectives, and activities are often more restrictive to preserve biodiversity and ecological integrity.
- **Management Authorities:** Protected areas are typically managed by specialized agencies or organizations responsible for developing and enforcing management plans that integrate FMPs with broader conservation goals.

- Are forest management plans being enforced?

The enforcement of **Forest Management Plans (FMPs)** in Romania has been a subject of concern among environmental organizations. Reports from NGOs indicate that, despite the existence of FMPs, their implementation and adherence are inconsistent, particularly within protected areas.

In 2022, a report[31] by Agent Green, ClientEarth, and EuroNatur highlighted that logging permits in critical regions, such as the Făgăraș Mountains—a Natura 2000 site—had increased significantly. This escalation occurred without the necessary environmental impact assessments, leading to the degradation of valuable forest ecosystems. The report emphasized that, despite the European Commission initiating infringement proceedings against Romania in 2020 for failing to enforce EU nature protection laws, illegal logging activities persisted.

Further investigations revealed that many Forest Management Plans lacked comprehensive Environmental Impact Assessments (EIAs) and Appropriate Assessments (AAs), which are essential for evaluating the impact of logging on protected species and habitats. Out of 16 sites analyzed, only one had an EIA, and its quality was notably inadequate. Additionally, there was a concerning lack of transparency, with vital information such as parcel descriptions, logging proposals, and detailed forest maps often removed from public access.

In response to these issues, Romanian courts have taken action. Notably, the Bucharest Court of Appeal[32] annulled forest management plans for over 7,000 hectares in the Făgăraș Mountains due to the absence of required environmental assessments. Despite such rulings, NGOs report that logging operations have continued, indicating challenges in the enforcement of legal decisions.

[30] Andra-Cosmina Albulescu, Daniela Larion, Per Angelstam, Challenges Faced by Forest Governance and Management in Romania, Between Top-down Communist Hand-Me-Downs and Bottom-up Sustainability, March 2023, https://www.researchgate.net/publication/369595654

[31] Illegal logging of Romania's natural forests increases despite court threat - EuroNatur

[32] Agent Green: Romanian court suspends unlawful logging permissions in Făgăraș Mountains Natura 2000 site - SaveParadiseForests

In conclusion, while Forest Management Plans are a legal requirement in Romania, their enforcement is hindered by systemic issues, including inadequate environmental assessments, lack of transparency, and insufficient adherence to legal rulings. Environmental organizations continue to advocate for stronger enforcement mechanisms to ensure the protection of Romania's valuable forest ecosystems.

Consultation Rights and Deficiencies

a) Law 52/2003 on Decisional Transparency in Public Administration

Law 52/2003 guarantees:

- **Public access to draft decisions** of public interest,
- A **minimum 30-day consultation period**, and
- An obligation for authorities to **consider and respond** to feedback.

However, in practice:

- **Forest Management Plans (FMPs)** are treated as technical acts, not administrative decisions subject to Law 52/2003, even if they are approved by Order of the Minister of Environment Waters and Forests. The arguments pertained in courts sustained that the FMPs are individual administrative acts, thus, no public consultation is needed.
- Forestry districts (*ocoale silvice*), which draft FMPs, are often not classified as public authorities despite managing public or communal forests,
- There is **no obligation to involve local stakeholders or traditional ownership bodies** in FMP planning or approval.

Legal Reference:

- **Law 52/2003**, Articles 6–7
- **Forestry Code (Law 331/2024)** – lacks consultation requirements for FMPs.

b) Government Decision (GD) No. 1076/2004 on SEA Procedure

This decision implements **EU Directive 2001/42/EC**, requiring:

- **Strategic Environmental Assessment (SEA)** for plans and programs with significant environmental impact,
- **Public participation** during SEA scoping and draft plan review,
- Consideration of **alternative options and mitigation** measures.

Yet, SEA procedures are **often skipped or formally conducted without real consultation**, especially in forest-rich Natura 2000 sites.

Legal Reference:

- **GD 1076/2004**, Articles 9–13
- Applies to forest plans that may impact protected areas or biodiversity

2. Agent Green Legal Cases: Failures in Consultation and Environmental Assessment

Agent Green[33] has brought multiple lawsuits against Romanian forestry authorities, alleging violations of participation and environmental assessment rights.

3. Consequences of Exclusion

The absence of structured public participation has led to:

- **Plans that ignore traditional land use or ecological knowledge**, damaging trust and local cooperation.
- **Litigation and delays**, as NGOs and communities challenge approvals.
- **Long-term conflict between forest authorities and communal landowners**, especially in restitution-sensitive regions.

- Is there an obligation to maintain a **Forest Book** (linked or related to the Farm Book of the Common Agricultural Policy (CAP)?

In Romania, the **Forest Code** mandates the maintenance of a **Forest Book** (*Carnetul de Silvicultură*) for forest management purposes. This document serves as a comprehensive record of forest management activities, including inventory data, management plans, and logging operations. The Forest Book is essential for ensuring sustainable forest management and legal compliance.

Regarding the **Farm Book** (*Carnetul de Exploatație Agricolă*) associated with the European Union's **Common Agricultural Policy (CAP)**, it primarily pertains to agricultural holdings and activities. The Farm Book records information about agricultural land use, crop production, and livestock, facilitating the implementation and monitoring of CAP measures.

Currently, there is no formal requirement linking the Forest Book to the Farm Book within the framework of CAP. The two documents serve distinct purposes:

- The **Forest Book** focuses on forestry activities, ensuring adherence to national forestry regulations and sustainable management practices.
- The **Farm Book** concentrates on agricultural activities, supporting the administration of CAP subsidies and compliance with agricultural policies.

While both documents aim to promote sustainable land use and resource management, they operate independently within their respective sectors. However, with the increasing emphasis on integrated land management and sustainability, future policy developments may explore synergies between forestry and agricultural records to enhance environmental stewardship and policy coherence.

- How often do forest management plans need to be updated? Who is responsible for the update?

The forest management plans are **adopted for 20 years** according to the New Forestry Code except for those prepared for poplar, willow, and other **fast-growing species forests, which are developed for a period of 5 or 10 years.** The forest management plans and the updates are

[33] https://www.agentgreen.ro/avocatul-naturii/

approved by Ministry of Environmental Waters and Forest. There is no other specific deadline for updates of the plans.

- Are specific mechanisms put in place to guarantee that national legislation is in line with European guidelines and criteria on forest management plans (i.e. Natura 2000 Forest Management Plans?

Romania has undertaken several measures to align its national legislation with European Union (EU) guidelines and criteria concerning Forest Management Plans (FMPs), particularly within Natura 2000 sites.

In December 2022, the Romanian government enacted Emergency Governmental Ordinance 177/2022 (EGO 177/2022)[34], mandating that all FMPs undergo Appropriate Assessments (AAs) to evaluate their impact on protected species and habitats within Natura 2000 sites. This ordinance set a deadline of September 2023 to initiate these assessments, aiming to ensure that forestry activities comply with EU conservation objectives[35].

Public Access to Environmental Information:

In a landmark decision, the Bucharest Court of Appeal[36] ruled that FMPs contain environmentally relevant information and must be accessible to the public. This ruling enforces the EU Directive on public access to environmental information, facilitating greater transparency and public oversight of forest management practices.

European Commission's Role:

The European Commission has actively monitored Romania's compliance with EU environmental laws. In July 2020, the Commission issued a reasoned opinion urging Romania to amend its laws to ensure that environmental impacts of each FMP are properly assessed, particularly within Natura 2000 sites. This action underscores the necessity for Romania to integrate EU directives into its national legislation effectively[37].

Challenges and Ongoing Efforts:

Despite these legislative advancements, challenges remain. Reports from environmental organizations indicate that many FMPs lack comprehensive Environmental Impact Assessments (EIAs) and AAs, even after the introduction of EGO 177/2022. Additionally, there have been instances of limited public access to complete FMPs, hindering transparency[38].

The **New Forest Code of Romania (Legea nr. 331/2024)**, promulgated on December 20, 2024, and published in the Official Gazette on January 9, 2025, introduces specific provisions regarding environmental assessments for **Forest Management Plans (FMPs).**

[34] https://legislatie.just.ro/Public/DetaliiDocument/262817
[35] https://www.euronatur.org/fileadmin/docs/Urwald-Kampagne_Rumaenien/Investigation_of_Romanian_forests_in_Natura_2000_sites.pdf?utm_source=chatgpt.com
[36] https://www.saveparadiseforests.eu/en/groundbreaking-supreme-court-ruling-for-the-protection-of-romanian-natural-forests/?utm_source=chatgpt.com
[37] https://www.europarl.europa.eu/doceo/document/E-9-2021-001284_EN.html?utm_source=chatgpt.com
[38] https://www.euronatur.org/fileadmin/docs/Urwald-Kampagne_Rumaenien/Investigation_of_Romanian_forests_in_Natura_2000_sites.pdf?utm_source=chatgpt.com

Development of Regional Sustainable Forest Management Plans:

- The central forestry authority is tasked with creating **sustainable forest management plans at the regional level**, each valid for 20 years.
- These plans must be developed within 24 months from the enactment of the new Forest Code and adhere to the environmental assessment procedures outlined in **Government Decision no. 1.076/2004**, which establishes the process for conducting environmental assessments for plans and programs.
- Public consultations are mandated to involve stakeholders in the planning process, ensuring transparency and inclusivity.
- Once formulated, these plans are approved through an order issued by the head of the central forestry authority.

Integration with Forest Management Plans:

- Individual FMPs must align with the corresponding regional sustainable forest management plans, ensuring consistency in forestry practices across regions.

Environmental Assessment Procedure for FMPs:

- The environmental assessment process for FMPs initiates with the approval of the project theme during the first forestry planning conference (*Conferința I de amenajare a pădurilor*).
- This assessment proceeds concurrently with the development of the FMP and concludes with the issuance of a **regulatory act by the competent environmental authority** following the preliminary approval of technical solutions in the second forestry planning conference (*Conferința a II-a de amenajare a pădurilor*).

Review and Reassessment of Existing FMPs:

- FMPs approved without undergoing environmental assessments, including appropriate assessments, are subject to review, extending the revision deadlines from the previous legislation mentioned above.
- The review process entails reinitiating both the environmental and appropriate assessment procedures to ensure compliance with current environmental standards.
- The methodology for conducting these assessments is governed by **Government Decision no. 236/2023.**
- Holders of such FMPs are required to notify the competent environmental authority to recommence the assessment procedures within six months from the enactment of the new Forest Code.

In summary, **while Romania has established mechanisms to align its national legislation with EU guidelines on forest management within Natura 2000 sites, effective implementation and enforcement are crucial.** Ongoing efforts are needed to ensure that FMPs are both compliant with EU standards and accessible to the public, thereby promoting sustainable forest management and biodiversity conservation.

- Are there any specific requirements for the forest management plans in terms of content, structure or criteria? If yes, please elaborate.

Order No. 766/2018[39], issued by the Ministry of Waters and Forests and published in the Official Gazette No. 730 on August 23, 2018, approves the **Technical Norms regarding the development of forest management plans, the modification of their provisions, and the change of land use categories** within the forest fund.

Content and Structure of Forest Management Plans (FMPs) According to Order No. 766/2018:

Order No. 766/2018 establishes mandatory stages in the development of FMPs, ensuring a clear and detailed structure:

- **First Planning Conference (Conferința I de Amenajare):**

  A preliminary meeting to approve the design theme, involving:

  - the project leader and the expert responsible for technical control of forest planning works (CTAP expert) from the authorized specialized unit.
  - the head of the forestry district responsible for administration or forestry services, representatives of its higher hierarchical structures, and, if applicable, the owner.
  - the administrator/custodian of the protected natural area, if it partially or entirely overlaps with the forest fund.
  - a representative from the county or regional environmental protection structure.
  - a representative from the central public authority responsible for forestry or its territorial specialized structure.

- **Field Work Reception:**

  Conducted in the last year of the current FMP's application or in the subsequent year(s) if the FMP has expired, with participation from:

  - The project leader, designer, and CTAP expert from the authorized specialized unit.
  - The head of the forestry district responsible for administration or forestry services, representatives of its higher hierarchical structures, and, if applicable, the owner.
  - A representative from the central public authority responsible for forestry or its territorial specialized structure.

- **Second Planning Conference (Conferința a II-a de Amenajare):**

A meeting to pre-approve technical solutions, organized in the year following the field work reception, involving:

- The project leader, designer, and CTAP expert from the authorized specialized unit.
- The head of the forestry district responsible for administration or forestry services, representatives of its higher hierarchical structures, and, if applicable, the owner.

[39] https://legislatie.just.ro/Public/DetaliiDocument/204225

- The administrator/custodian of the protected natural area, if it partially or entirely overlaps with the forest fund.
- A representative from the county or regional environmental protection structure.
- A representative from the central public authority responsible for forestry or its territorial specialized structure.

- **Approval by the Technical Approval Commission for Forestry:**

Analysis and approval of the FMP by the technical approval commission for forestry within the central public authority responsible for forestry.

These stages ensure a rigorous and participatory approach in developing FMPs, involving multiple stakeholders and specialists to guarantee that the plans reflect both technical requirements and environmental and social considerations.

Criteria and Indicators:

While Order No. 766/2018 does not explicitly detail specific criteria and indicators for evaluating and monitoring the implementation of FMPs, it establishes clear procedural stages and the involvement of various authorities and experts in the development and approval process. This framework facilitates the integration of relevant criteria and indicators based on the specific context of each forest fund.

Evaluating and monitoring the implementation of Forest Management Plans (FMPs) involve specific criteria and indicators established through the Forestry Code and international regulations.

Main Criteria:

1. **Sustainability of Forest Management:** Ensuring that forest management practices maintain and enhance biodiversity, productivity, regeneration capacity, and the vitality of forest ecosystems.
2. **Conservation of Biodiversity:** Protecting and maintaining the diversity of species, habitats, and genetic resources within forests.
3. **Protective Functions of Forests:** Maintaining the protective roles of forests, such as soil protection and water resource conservation.
4. **Socio-Economic Contribution:** Ensuring that forest management contributes to the economic and social well-being of local communities and society as a whole.

Specific Indicators:

- **Area of Sustainably Managed Forests:** The percentage of forests managed according to sustainable management principles.
- **Forest Health Status:** The incidence and severity of biotic and abiotic stress factors, such as pests, diseases, or extreme climatic conditions.
- **Natural and Artificial Regeneration Rates:** The proportion of areas naturally regenerated compared to those artificially regenerated.

- **Tree Species Diversity:** The number and proportion of different tree species present in a specific forest area.
- **Volume of Harvested Wood:** The amount of wood extracted annually relative to the allowable annual cut established by the management plan.
- **Areas Affected by Afforestation and Reforestation Works:** The extent to which planned afforestation and reforestation activities are carried out.

These criteria and indicators are detailed in various normative acts and methodologies approved by competent authorities. For instance, **Government Decision No. 236/2023**[40] approves the methodology for conducting the environmental assessment procedure for forest management plans, establishing the stages and responsibilities in the process of evaluating and monitoring environmental impact.

Additionally, the **Order No. 1.946/2021**[41] approves the methodology for applying environmental assessments to forest management plans, providing a detailed framework for integrating environmental considerations into the development and approval of these plans.

Implementing and monitoring these criteria and indicators ensure responsible and sustainable management of forest resources, contributing to biodiversity conservation and sustainable socio-economic development.

- Are there any **supporting mechanism for the management plans**? If yes, please elaborate.

Yes, there are several supporting mechanisms in place to aid the implementation of Forest Management Plans (FMPs) in Romania:

1. **Payments for Ecosystem Services (PES)**[42]**:** Romania has implemented PES programs, such as Measure 15—Forest-Environmental Services, Climate Services, and Forest Conservation, managed by the Agency for Payments and Intervention in Agriculture (APIA). These programs provide financial incentives to forest owners who voluntarily adopt additional conservation measures beyond those required by national legislation. This approach encourages sustainable forest management and biodiversity conservation.
2. **Forest Stewardship Council (FSC) Certification**[43]**:** FSC certification promotes responsible forest management by setting standards that ensure environmental, social, and economic benefits. In Romania, the success of FSC implementation is closely linked to the active involvement of stakeholders throughout the certification process. This certification serves as a voluntary mechanism to enhance the effectiveness of forest management practices.

[40] https://legislatie.just.ro/Public/DetaliiDocument/266037
[41] https://legislatie.just.ro/Public/DetaliiDocument/248333
[42] Subsidies for Forest Environment and Climate: A Viable Solution for Forest Conservation in Romania? by Iulian A. Bratu, Vasile R. Câmpu, Ruben Budău, Mirela A. Stanciu and Cristian M. Enescu, 2024, https://www.mdpi.com/1999-4907/15/9/1533?utm_source=chatgpt.com
[43]The Success of FSC Implementation in Romania Depends on the Level of Stakeholders' Involvement , WWF CEE, STUDY ON THE METHOD AND LEVEL OF INVOLVEMENT OF STAKEHOLDERS IN THE FSC® (FOREST STEWARDSHIP COUNCIL®) FOREST MANAGEMENT CERTIFICATION PROCESS, James Morgan, 2020, https://wwfcee.org/what-we-do/forest/romania-fsc-report?utm_source=chatgpt.com

3. **European Union Funding Mechanisms:** The EU provides financial support for forest conservation through instruments like the Common Agricultural Policy (CAP). However, the allocation of these funds for sustainable forest management in Romania has been assessed as having a "medium" level of prioritization, indicating a need for more dedicated resources to fully support forest conservation efforts[44].

- Are there impact assessment required in your country in relation to the adoption of the forest management plans? What mechanisms are in place in your country to ensure that forest management plans are developed to ensure sustainable forest management practices? If yes, please elaborate.

  Romania is obligated under European Union (EU) regulations to evaluate the environmental impacts of logging operations, particularly within Natura 2000 sites. This necessitates conducting Appropriate Assessments (AAs) for FMPs to determine their effects on protected species and habitats. Historically, Romanian legislation did not mandate these assessments for FMPs.

  However, in December 2022, the Romanian government enacted the Emergency Governmental Ordinance 177/2022 (EGO 177/2022)[45], setting a deadline of September 2023 to initiate the process of completing AAs for FMPs. Despite this legislative change, concerns have been raised[46] about ongoing logging activities proceeding without the required assessments, potentially impacting protected areas. This legislation was implemented by the **Governmental Decision no 236/2023**[47] **concerning** 'the approval of the methodology for conducting the environmental assessment procedure for forest management plans'.

  This decision was enacted to establish a standardized methodology for environmental assessments specific to forest management plans in Romania.

  Key Provisions of Government Decision No. 236/2023:

  1. **Objective:**
     - The decision aims to approve the methodology for conducting environmental assessments **for forest management plans**, as stipulated in Article 22, paragraph (1^1) of Law No. 46/2008 - the Forestry Code.

  2. **Procedural Stages:**
     - The methodology encompasses stages outlined in Article 3, paragraph (2) of Government Decision No. 1.076/2004, which establishes the procedure for environmental assessments of plans and programs.
     - The stages of appropriate assessment for potential effects on Natura 2000 sites are **integrated into the environmental assessment procedure for forest management plans.**

[44] How to Ensure Effective Forest Conservation in the Next EU Budget Considering an Accelerated Climate Crisis, WWF Romania, Radu Vlad, WWF - How to Ensure Effective Forest Conservation in the Next EU Budget Considering an Accelerated Climate Crisis
[45] https://legislatie.just.ro/Public/DetaliiDocument/262817
[46] Euronatur, Urgent Call for Action to Protect Romania's Forests and Natura 2000 Sites, 2023, https://www.euronatur.org/en/what-we-do/news/urgent-call-for-action-to-protect-romanias-forests-and-natura-2000-sites

[47] https://legislatie.just.ro/Public/DetaliiDocument/266037

3.Applicable Legislation:

- Environmental assessments are conducted in accordance with Government Decision No. 1.076/2004.
- Appropriate assessments adhere to the provisions of the Government Emergency Ordinance No. 57/2007, concerning the regime of protected natural areas, conservation of natural habitats, and wild flora and fauna.

4. Intended Audience:
   - The methodology to design the management plans is carried out jointly by:
     - Competent environmental protection authorities, including the central public authority for environmental protection, the National Environmental Protection Agency, county environmental protection agencies, and the Administration of the "Danube Delta" Biosphere Reserve.
     - The National Agency for Protected Natural Areas.
     - Administrators of protected natural areas.
     - Central and territorial authorities competent in forestry.
     - Holders of forest management plans.
     - Members of the Specially Constituted Committee and working groups, as identified in Article 10, paragraph (3) of Government Decision No. 1.076/2004.
     - Individuals and legal entities certified to develop environmental studies in accordance with the provisions of the Minister of Environment, Waters, and Forests Order No. 1026/2009.

5. Fees:
   - Fees for conducting the environmental assessment procedure are established by the Nomenclature of Works and Services provided by public environmental protection authorities under a tariff regime, approved by the Minister of Environment under the Sustainable Development Order No. 1.108/2007.
   - Fees are paid in advance, per procedural stage, to the account of the environmental protection authority conducting the respective stage.
   - Competent environmental authorities charge fees for issuing environmental approvals, in accordance with Article 8 of Government Decision No. 1.076/2004 establishing the strategic environmental impact assessment procedure.

The New Forestry Code outlines the procedural framework for the development, approval, and implementation of Forest Management Plans (FMPs) in Romania, emphasizing the integration of environmental assessments to ensure sustainable forest management. Below is an analysis of each paragraph:

1. **Development of Sustainable Forest Management Plans:**
    - The central authority is tasked with creating sustainable forest management plans for the National Forest Fund (FFN), each valid for 20 years and developed at the regional level.
    - These plans must be completed within **24 months** from the enactment of the current law and adhere to the procedures established by Government Decision No. 1076/2004[48], which sets the framework for **environmental assessments of plans and programs.**

2. **Public Consultation and Approval:**
    - The authority is required to organize **public hearings** with interested stakeholders to facilitate the development of these sustainable forest management plans.
    - Once formulated, the plans are approved through an order issued by the head of the authority.

3. **Alignment of Silvicultural Plans:**
    - **Forest management plans** (amenajamente silvice) must define silvicultural activities in alignment with the corresponding sustainable forest management plan.

4. **Environmental Assessment Procedure for FMPs:**
    - The environmental assessment process for FMPs initiates with the approval of the design theme during the first forestry planning conference (Conferința I de amenajare a pădurilor).
    - This assessment runs concurrently with the development of the FMP and concludes with the issuance of a regulatory act by the competent environmental protection authority after the second forestry planning conference (Conferința a II-a de amenajare a pădurilor).

5. **Approval of FMPs:**
    - FMPs are reviewed by the Technical Commission for Forestry within the authority, operating under a methodology approved by the head of the authority.

6. **Publication of Approved Plans:**
    - The authority is responsible for publishing the approved sustainable management plans and FMPs on its official website.

[48] https://legislatie.just.ro/Public/DetaliiDocument/54164

7. **Appropriate Assessment for Protected Areas:**
    - FMPs that entirely overlap with Natura 2000 sites are subject to appropriate assessments in line with Government Emergency Ordinance No. 57/2007, as amended by Law No. 49/2011.
    - FMPs partially overlapping with such protected areas and involving projects listed in Annexes 1 or 2 of Law No. 292/2018[49] must also undergo appropriate assessments per the same ordinance.

8. **Screening for Appropriate Assessment:**
    - FMPs not covered under the previous provision are subject to a screening stage to determine the necessity of an appropriate assessment, following the guidelines of Government Emergency Ordinance No. 57/2007[50], as amended.

9. **Review of Existing FMPs:**
    - Existing FMPs that overlap, wholly or partially, with Natura 2000 sites and were approved before the current law's enactment—without undergoing the required environmental and appropriate assessments—must be reviewed.
    - This review involves reinitiating both the environmental and appropriate assessment procedures.

10. **Applicable Methodology for Assessments:**
    - The methodology for conducting environmental assessments for the FMPs mentioned in points 7 and 9 is established by Government Decision No. 236/2023.

11. **Obligation to Notify Environmental Authorities:**
    - Holders of FMPs specified in point 9 are obligated to notify the competent environmental protection authority to recommence the environmental and appropriate assessment procedures within six months from the current law's enactment. This provision grants an extension of the deadline set by EGO 177/2022 from the obligation to revise the FMPs overlapping with the Natura 2000 sites, adopted without environmental assessments.

Article 65: Approval and Validity of FMPs

1. **Approval Process:**
    - FMPs and their modifications are approved through an order issued by the head of the authority.

2. **Validity Period:**
    - A FMP becomes effective upon approval and remains valid until December 31 of the twentieth year, or the tenth year, following the year in which the second forestry planning conference occurred.

[49] https://legislatie.just.ro/Public/DetaliiDocument/208590
[50] https://legislatie.just.ro/Public/DetaliiDocument/83289

3. **Extension of Validity for Existing FMPs:**
    - FMPs that became effective before the current law retain their validity until a new FMP is approved, but no later than December 31 of the year following their expiration.
    - During this extension period, the following activities are permitted:
        - Compensation for owners for unharvested products due to protection functions established by the FMP.
        - Afforestation, reforestation, young stand maintenance, and forest protection works, including the harvesting of accidental and extraordinary products.
        - Valuation and exploitation of standing timber not yet harvested, up to the volume specified in the FMP, and transportation of timber from authorized parcels not fully exploited before the new FMP's approval.

4. **Accounting for Accidental Products:**
    - Accidental products harvested during the extension period are deducted from the allowable cut established in the new FMP.

According to Article 64 paragraph 10 from the new forestry code, the Government Decision 236/2023 remains applicable for the FMPs overlapping partially or totally with Natura 2000 Sites.

- Are the Natura 2000 sites plans already implemented and well-coordinated or integrated with forest management plans? Are traditional forest activities recognized in those plans? Are there guidelines for small forest owners and managers on what they can and can't do?

Article 89 of the new forestry code: Ensuring the Conservation and Improvement of Forest Biodiversity states:

1. The conservation and improvement of forest biodiversity are carried out in accordance with the Natura 2000 site's conservation objectives, uniformly at the national level, based on management measures approved through technical norms.
2. Conservation objectives for forests located within protected natural areas are established with priority given to maintaining or restoring the favorable conservation status of natural habitats. The forest management plan for these forests serves as a planning tool to achieve the objectives of the protected natural areas.
3. In the process of managing forests located within protected natural areas, the provisions of management plans or, as applicable, the set of minimum conservation measures of the protected Natura 2000 areas with which they overlap take precedence over the provisions of technical norms.
4. Forest management plans for lands within the National Forest Fund included in protected natural areas incorporate and implement management measures from approved management plans or minimum conservation measures if approved management plans do not exist, and are harmonized by classifying them into specific functional categories and establishing appropriate technical solutions.

In Romania, the integration of Natura 2000 site management plans with forest management plans is mandated by EGO 57/2007 Government Emergency Ordinance No. 57/2007 on the regime of natural protected areas, conservation of natural habitats, wild flora, and fauna. Specifically, Article 24 of the relevant legislation requires that forest management plans for units or properties within natural protected areas be **revised within 12 months** following the approval of the management plans for these areas. During this revision period, forest administrators are to implement only those provisions that align with the specific legislation of protected natural areas and the management plans in force. Traditional forest activities are acknowledged within these management plans.

Also, according to Article 21 paragraph 4 of EGO 57/2007, compliance with the management plans of the natural protected areas and their regulations is obligatory for administrators of protected natural areas, authorities regulating activities within these areas, and individuals or legal entities owning or managing lands and other assets, or conducting activities within or adjacent to the protected natural area. The forestry works and all the entities involved would have to follow the management plans of the Natura 2000 Sites, which are natural protected areas.

According to Article 21 paragraph 3 of the EGO 57/2007 in Romania, the management of natural protected areas is governed by legislation that mandates the **development of management plans.** These plans must consider the economic, social, and cultural conditions of local communities, as well as the regional and local specificities of the area. However, the primary focus remains on achieving the management objectives of the protected natural area

Article 22 of the EGO 57/2007 outlines that in zones designated for sustainable management within national and natural parks, activities such as rational grazing, traditional resource use (e.g., berry and mushroom collection), and **traditional agricultural practices are permitted**, provided they do not adversely affect natural habitats and species.

According to Article 91 of the new forestry code, when developing management plans for protected natural areas and establishing the measures they include, consideration is given to ensuring access to traditional forest resources for forest-dependent communities, as defined in this law.

Regarding guidelines for small forest owners and managers, the legislation specifies that management **plans are legally binding**, and protected area managers are responsible for developing or coordinating these plans. Other stakeholders, including small forest owners, must align their activities with these management plans. While the legislation provides a framework, it does not detail specific guidelines tailored exclusively for small forest owners. However, it emphasises the importance of aligning all forest activities with the overarching conservation objectives of the protected areas.

6. Sustainable forest management.

Definition Romania adheres to principles of sustainable forest management, ensuring forest integrity, ecosystem services, and climate change mitigation

Sustainable forest management definition and forestry practices

Sustainable forest management involves maintaining forest integrity while ensuring economic viability and ecological sustainability (Art. 6 of the new forestry code).

- Is sustainable forest management (SFM) defined in your country?
  - ☒ **Yes**
  - ☐ No

- Does the definition of SFM include specific objectives?
  - ☒ **Yes**
  - ☐ No

- Does your country have specific guidelines on Sustainable Forest Management? If yes, are those mentioned in the legislation?
  - ☐ Yes, they can be found here:
  - ☐ No
  - ☐ Other sources defining or implementing Sustainable Forest Management

Yes, Romania has specific guidelines on Sustainable Forest Management (SFM) that are incorporated into its national legislation. The Romanian Forest Code, recently updated in December 2024, emphasizes the implementation of sustainable forest management principles **and drafting of best practices guides** issued by the central administration (Article 66).

This legal framework mandates that all forest management activities adhere to sustainable practices, ensuring the conservation and responsible use of forest resources.

Additionally, Romania has **developed national standards** for sustainable forest management through the Programme for the Endorsement of Forest Certification (PEFC) Romania. These standards are established via an open and transparent process involving a wide range of stakeholders. The PEFC Romania[51] Sustainable Forest Management Certification Scheme outlines measurable and verifiable requirements that align with international SFM criteria. This scheme ensures that forest management practices in Romania meet both national and international standards for sustainability.

Furthermore, **the National Forest Inventory** (IFN)[52] in Romania plays a crucial role in reporting sustainable forest **management indicators.** The IFN ensures that its information aligns with good

[51] https://pefc.ro/documentatie/?utm_source=chatgpt.com
[52] https://roifn.ro/site/

practice guidelines recommended by international frameworks, such as the UN Framework Convention on Climate Change, and assesses the biological diversity of forests[53].

This alignment underscores Romania's commitment to integrating sustainable forest management guidelines within its legislative and operational frameworks.

- Does your country have a **Forest Strategy and/or Forest Management Policy** setting policy priorities that implement a SFM approach?

  ☒ **Yes, they can be found here: Strategia Națională pentru Păduri 2030**

  ☐ No

  ☐ Other sources setting the Forest strategy/policy

Romania has established a comprehensive framework for Sustainable Forest Management (SFM) through its "National Strategy for Forests 2030," approved by the government in 2022[54].

This strategy was developed following extensive consultations with stakeholders, including civil society and forestry experts, aiming to create a forestry policy that contributes to the sustainable development of the country.

The National Strategy for Forests 2030 outlines several key objectives:

- **Integration of Biodiversity Conservation**: Emphasizing the importance of preserving biodiversity within forest management practices.
- **Economic Instruments**: Developing economic tools to enhance the forest sector's contribution to the local economy.
- **Wood Market Assessment**: Conducting preliminary evaluations of the wood market to ensure sustainable supply and demand balance.
- **Species Selection for Afforestation**: Identifying optimal forest species for afforestation efforts, considering projected climate scenarios to ensure adaptability to climate change.

These objectives are designed to align with the European Union's forestry policies and contribute to the broader **goals of sustainable development** and environmental conservation.

In addition to the National Strategy, Romania has **implemented a new Forestry Code** to improve forest management practices. However, some organizations, such as WWF Romania[55], have noted that while the new code opens avenues for potential improvements, it falls short of clearly implementing the strategic objectives outlined in the National Strategy for Forests 2030.

Overall, Romania's commitment to Sustainable Forest Management is evident through its strategic planning and policy development, which are enshrined in national legislation and aligned with international conservation efforts.

[53] https://icas.ro/areas-of-activity/technological-development/the-national-forest-inventory-ifn/about-ifn/?lang=en&utm_source=chatgpt.com

[54] https://legislatie.just.ro/Public/DetaliiDocument/260277

[55] https://wwf.ro/paduri/new-forestry-code-fails-to-implement-clear-reforms-for-forestry/?utm_source=chatgpt.com

- Which requirements/obligations result from the legally binding requirement for SFM?
  1. For forest owners
  2. For forest managers

In Romania, the legal framework mandates Sustainable Forest Management (SFM) through the Forest Code, which outlines **specific obligations for both forest owners and forest managers.**

Obligations for Forest Owners:

- **Forest Management Plans:** Forest owners are required to develop and adhere to forest management plans that align with sustainable practices. These plans must be prepared and followed to ensure the health and productivity of the forest.
- **Forest Security and Integrity:** Owners must ensure the protection and integrity of their forests, preventing unauthorized activities and degradation.
- **Regeneration and Maintenance:** There is an obligation to carry out activities related to forest regeneration, as well as the care and management of trees, to maintain ecological balance.
- **Pest and Disease Control:** Owners are responsible for implementing necessary measures to prevent and combat forest pests and diseases, preserving forest health.
- **Fire Prevention:** Ensuring compliance with fire prevention and firefighting measures is mandatory to protect forest resources.
- **Legal Compliance in Timber Exploitation:** Timber can only be harvested following proper authorization and documentation issued by authorized personnel, ensuring legal compliance.
- **Infrastructure Maintenance:** Owners must maintain and repair forest roads under their management or ownership, facilitating sustainable access and operations.
- **Property Delineation:** Clearly marking and maintaining the boundaries of forest property according to ownership documents is required to prevent disputes and encroachments.
- **Notification of Ownership Transfer:** Any transfer of forest land ownership must be reported to local forestry authorities within 60 days, ensuring records are up-to-date.

Obligations for Forest Managers:

- **Adherence to Management Plans:** Forest managers are obligated to implement the forest management plans as approved, ensuring that all activities promote sustainability.
- **Technical Compliance:** Management practices must follow technical instructions for the management of forest genetic resources, preserving biodiversity and genetic health.
- **Monitoring and Reporting:** Regular monitoring of forest conditions and reporting to relevant authorities are required to ensure transparency and accountability in forest management.
- **Sustainable Harvesting Practices:** Managers must ensure that any timber harvesting is conducted sustainably, adhering to legal limits and ecological considerations.

- **Biodiversity Conservation:** Implementing measures to protect and enhance biodiversity within the forest areas under their management is a key responsibility

- Are specific criteria and/or indicators to determine whether SFM is being achieved? Where are they described (see table below)?

Romania employs specific criteria and indicators to assess the achievement of Sustainable Forest Management (SFM). These are detailed in the PEFC-RO ST 8001:2024 standard, which is designed to evaluate SFM at the property level, encompassing both individual and grouped properties.

The development of these criteria and indicators involved several key steps:

1. **Analysis of Romanian Legal Regulations:** This included reviewing the Forest Code of 2008 (with its amendments), the Hunting Act of 2008, nature protection regulations, the Water Act of 1996, legislation on plant protection products, and various technical rules in forestry.
2. **Review of Global and Regional SFM Catalogues:** The Romanian criteria and indicators were formulated based on the six "Pan-European Criteria and Indicators," considering the "General Pan-European Directives at the Operational Level for Sustainable Forest Management" adopted during the Third Ministerial Conference on the Protection of Forests in Europe in June 1998.
3. **Examination of Official Forest Data Sources:** In Romania, the primary source of forest data is the forest management plan, mandatory for properties exceeding 10 hectares and valid for ten years.

- Are some forest managers implementing sustainable forest management practices voluntarily? If yes, how are these voluntary management practices taking place? Through citizen initiatives, local initiatives, or other ways? Please explain how forest managers ensure that forest management practices are sustainable.

In Romania, several forest managers are voluntarily implementing sustainable forest management (SFM) practices, primarily through mechanisms like the Forest Stewardship Council (FSC) certification. This certification serves as a voluntary verification tool, providing an independent assessment of sustainable forestry practices and instilling confidence in sustainability benchmarks. A study involving 417 forest management structures in Romania revealed that non-state management entities adopted FSC certification mainly to gain economic advantages. Respondents noted significant improvements in stakeholder consultations, transparency, record-keeping, chemical usage, and biodiversity protection due to certification.

The success of FSC implementation in Romania is closely linked to the active involvement of stakeholders. Enhanced participation from all relevant parties throughout the certification process is essential to improve the efficiency of these voluntary mechanisms. The FSC certification is perceived as having a positive impact on promoting responsible forest management in the country.

Additionally, local initiatives like "Planting good deeds in România" (We Plant Good Deeds in Romania) contribute to sustainable forest management. This initiative engages community participation in creating green spaces, restoring degraded lands, increasing canopy cover, and

promoting sustainable practices. By organizing activities such as tree planting campaigns and forestry education, the initiative raises environmental awareness and fosters community involvement in sustainable forest management.

These voluntary management practices are facilitated through a combination of certification schemes and local community initiatives. Forest managers ensure sustainability by adhering to established standards, engaging stakeholders, and participating in community-driven projects that promote responsible forest stewardship.

- Which mechanisms are put in place to support the implementation of SFM? Which measures are in place to monitor implementation of the SFM?

Romania has established mechanisms to support the implementation of Sustainable Forest Management (SFM) and to monitor its progress. The National Forest Strategy 2030 outlines strategic objectives, including afforestation initiatives and the enhancement of forest monitoring systems. To combat illegal logging and ensure transparency in timber supply chains, Romania has implemented the SUMAL electronic system. This system tracks the flow of timber from producers to consumers, aiding in the prevention of illegal activities and promoting sustainable management practices.

Additionally, the integration of Geographic Information System (GIS) technology in forest monitoring has been instrumental. GIS facilitates efficient data collection, mapping, and remote sensing, thereby improving forest management and reducing ecological and financial risks associated with illegal land clearings.

Furthermore, the Programme for the Endorsement of Forest Certification (PEFC) Romania has developed standards for sustainable forest management. These standards are created through a transparent process involving a wide range of stakeholders and are subject to regular evaluations to ensure continuous improvement.

One consulted forestry association noted that, while Romania is indeed able to implement SFM and generally sound forestry practices, many of the obligations established under this legislation fall solely on private forest owners, for whom full compliance can be financially challenging, as annual costs frequently exceed the potential income from their forests. Certain requirements are particularly difficult to meet, such as pest and disease control, fire prevention, and infrastructure maintenance. These measures typically require coordinated action among all forest owners within a defined area. In their view, these measures impose disproportionate financial burdens. To note though that public financial support mechanisms do exist, including allocations under the National Recovery and Resilience Plan and the forest conservation and regeneration fund established under Article 124 of the Forest Code, although not all instruments may yet be fully operational.

- Which forest management practices are required or prohibited by law in your forest/country?
  Please check below the proposed forest management practices and add supplementary ones if missing (Please include explanation of the legal requirements of the relevant techniques).

  ☒ **Closer to nature silviculture practices**
  ☒ **Clear-cutting**
  ☒ **Shelterwood system**
  ☒ **Selective logging**
  ☒ **Afforestation and reforestation to enlarge forest areas**
  ☐ Controlled burn
  Mandatory salvage logging
  ☐ Other .....

Romania's legal framework mandates specific forest management practices to ensure sustainable forest management (SFM). They include clear cutting, as a forest management practice respecting SFM principles, except within protected forest. The primary legislation governing these practices is the Romanian Forestry Code, which outlines both required and prohibited activities. Below is an overview of these practices:

Required Practices:

- **Afforestation and Reforestation:** The Forestry Code emphasizes the importance of increasing forested areas through afforestation and reforestation efforts. This includes the regeneration of degraded lands and the establishment of new plantations for forestry purposes.

- **Sustainable Management Plans:** Forest holdings larger than 10 hectares are required to have management plans produced by authorized and specialized forest management planning companies. These plans ensure that forestry activities align with sustainable management principles.

Prohibited Practices:

- **Illegal Logging:** The Forestry Code prohibits unauthorized logging activities. Despite this, illegal logging remains a significant issue, with reports indicating that half of all forestry production in Romania results from such activities.

- **Exceeding Exploitation Limits:** Forest owners with less than 10 hectares who have contracts with local forest authorities may only exploit up to 3 cubic meters per year per hectare for personal use, depending on the nature of their forest land. Exceeding these limits is prohibited.

Additional Practices:

- **Clear-Cutting:** The new Forestry Code extends the prohibition of clear-cutting to natural parks and all protected natural areas in Romania, doubling the minimum tree-covered area required.

- **Selective Logging and Shelterwood Systems:** While the Forestry Code does not explicitly detail these practices, sustainable management plans typically incorporate methods like selective logging and shelterwood systems to promote natural regeneration and maintain ecological balance. They are defined and detailed in secondary legislation[56].
- **Controlled Burns:** The use of controlled burns is not a common practice in Romanian forestry management and is generally not addressed in the Forestry Code.
- **Mandatory Salvage Logging:** In cases of natural calamities or pest infestations, the Forestry Code allows for salvage logging to remove damaged or infested trees, aiming to prevent further degradation and promote forest health. However, it is sometimes used as an excuse to clear cutting without EIA.

- Are there limitations on the management models to be applied, like clearcuttings or their sizes? Is there a ban on clear-cutting linked to SFM?

  Romania's new Forestry Code, enacted in December 2024, introduces specific restrictions on clear-cutting to enhance forest conservation and promote Sustainable Forest Management (SFM). Key provisions include:

  1. Expansion of Clear-Cutting Prohibitions:
     - The new code extends the ban on clear-cutting to encompass natural parks and all protected natural areas across Romania. This measure aims to preserve biodiversity and protect critical ecosystems.
  2. Commercial Logging Restrictions in Ilfov County:
     - A ban on commercial logging has been implemented in Ilfov County, which surrounds Bucharest, including the Băneasa forest area. Existing contracts are permitted to conclude by spring 2025, after which only customary logging activities, such as forest maintenance, regeneration, or ecological reconstruction, are allowed. Property owners affected by this ban can apply for compensation. It is also allowed the extraction of extraordinary products from lands for which permanent removal or temporary occupation has been approved, necessary for the implementation of objectives of public utility and national interest, as well as the extraction of accidental products, as provided in Article 99 paragraph (2) letter c).
  3. Future Integration of Peri-Urban Forests into Green Belts:
     - Within two years (from the adoption of the new Forest Code) commercial logging will be halted in peri-urban forests, including areas like Trivale near Pitești, Bârnova in Iași, and Hoia in Cluj-Napoca, as well as urban forests such as parts of Băneasa forest in Bucharest. These forests are slated for integration into future green belts, enhancing urban environmental quality and resilience.

  While these measures represent significant steps toward forest conservation, some organizations, such as WWF Romania, have expressed concerns that the new Forestry Code lacks clear implementation strategies for certain reforms. They highlight that many critical decisions are deferred to future legislation, necessitating over 30 government decisions and

[56] ORDER no. 2,535 of September 28, 202 on the approval of the Technical Norms regarding the selection and application of silvicultural treatments and the Good Practice Guide for the selection and application of treatments

ministerial orders, which introduces uncertainty in achieving the strategic objectives outlined in the National Strategy for Forests[57].

- Is there a defined/legal target for forest land to be managed for conservation and species protection objectives in your country or region?

In alignment with the EU Biodiversity Strategy, Romania aims to include at least 10% of its territory, approximately 700,000 hectares of forests, in a network of Strictly Protected Areas by 2030.

Additionally, the Forest Code adopted in December 2024 by the Romanian Parliament , has introduced key measures for forest protection, including the creation of green belts around cities and stronger penalties for illegal logging.

Despite these legal provisions, challenges remain in implementation and enforcement, as illegal logging and unsustainable practices continue to threaten Romania's forests. Environmental organizations have called for more effective measures to ensure the protection of these vital ecosystems[58].

Romania has established comprehensive legal frameworks and strategic objectives to manage forest lands for conservation and species protection. The **National Forest Strategy 2030**, approved by the government in 2022, outlines several key actions:

- **Integration of Biodiversity Conservation into Forest Management:** The strategy emphasizes harmonizing forest management practices with biodiversity conservation, aiming to resolve longstanding disputes and differing opinions in the sector.
- **Expansion of Forested Areas:** Recognizing the need for increased forest cover, the strategy includes plans for afforestation, particularly on suitable agricultural lands, to enhance ecological stability and carbon sequestration.
- **Romania's National Forest Strategy 2030 aligns with the European Union's 3 Billion Trees Pledge**, a non-binding commitment under the EU Biodiversity Strategy to plant at least 3 billion additional trees across the EU by 2030. While the Romanian strategy does not explicitly mention the "3 Billion Trees Pledge" by name, it incorporates its objectives through national afforestation and reforestation initiatives.
- According to the European Forest Institute's comparative assessment[59], Romania's forest policy documents emphasize afforestation and tree planting as key measures to combat climate change, restore degraded lands, and enhance biodiversity. These initiatives are consistent with the EU Forest Strategy's goals, which include protecting, restoring, and enlarging EU forests to ensure resilient and multifunctional forest ecosystems.
- **Reform of Private Forest Ownership Decision-Making:** With approximately one-third of Romania's forests under private ownership, involving around 700,000 owners, the

[57] https://wwf.ro/paduri/new-forestry-code-fails-to-implement-clear-reforms-for-forestry/?utm_source=chatgpt.com
[58] Romanian forests: calls for logging moratorium - EuroNatur
[59] European Forest Institute, Meeting the European Union's Forest Strategy goals, 2023, https://efi.int/sites/default/files/files/publication-bank/2023/efi_fstp15_2023.pdf?utm_source=chatgpt.com

strategy seeks to reform decision-making processes to balance ownership rights with conservation needs.

- Are there forest owner obligations related to forest restoration after harvest?

In Romania, the **new Forestry Code**, enacted in December 2024, reinforces the obligations of forest owners regarding restoration activities after timber harvesting, aligning with sustainable forest management principles, in Section 3 of the Code, articles 73 - 77. While no specific article detailing these restoration obligations is provided by the Forest Code, it mandates that forest owners develop and adhere to approved **Forest Management Plans (FMPs).** These plans outline management activities, including harvesting and subsequent restoration, ensuring that such activities are conducted sustainably and in accordance with ecological requirements.

Key Obligations for Forest Owners:

1. **Development and Implementation of Forest Management Plans (FMPs) (Article 75):**
   - Forest owners are required to create and follow an approved FMP, detailing management activities such as harvesting and restoration. This ensures that all operations are sustainable and meet ecological standards. These plans define regeneration methods, species selection, timelines, and maintenance practices, ensuring alignment with ecological principles and sustainable forest use.

2. **Mandatory Regeneration After Harvesting (Article 73 & 74): Forest owners are *legally required* to regenerate harvested forest areas within two years following clearcutting or final harvests.** This can be done through natural regeneration or, when conditions require, through artificial regeneration by planting native or site-appropriate tree species. Adherence to Silvicultural Standards (article 76):
   - **Restoration activities** must comply with established silvicultural standards to maintain forest health, productivity, and biodiversity. This includes selecting appropriate species, ensuring genetic diversity, and applying suitable planting or seeding techniques, respecting biodiversity and forest structure;.

3. **Monitoring and Reporting:**
   - Forest owners are responsible **for monitoring** the success of restoration efforts and reporting outcomes to relevant authorities, ensuring compliance with legal requirements and allowing for adjustments in management practices if necessary. They are also obliged to allow **inspections** by forestry authorities. If regeneration fails, corrective measures must be undertaken at the owner's expense, and penalties may apply for non-compliance.

"Closer-to-nature" guidelines and practices

(This section relates to the Commission Guidelines on Closer to nature forest management but also Commission guidance on payment schemes for forest ecosystem services both aiming to provide information and guidance for sustainable forest management)

Practices include promoting natural regeneration, mixed-species planting, and reduced-impact logging (Art. 24).

- Has your country incorporated the **newly published Commission guidelines** in their legal or regulatory framework?

Romania's new Forestry Code introduces important measures for forest protection. While it does not explicitly incorporate the European Commission's guidelines on closer-to-nature forest management or payment schemes for forest ecosystem services, it requires further legislative and regulatory efforts to fully align Romania's forestry practices with these EU recommendations.

- Has your country **recognized under law/regulatory measure a closer-to-nature approach** in forest management? If yes please provide the source where this is explained and elaborate below.
  - ☐ Yes: in the Strategy that can be found here: .....
  - ☒ **No**
- Does your country have legislation/measures setting specific biodiversity targets/management objectives for sustainable forest management at a national or regional level?
  - ☐ Yes, at national level – they can be found here:
  - ☐ Yes, at regional level – they can be found here: .....
  - ☒ **No**

Please describe them and elaborate:

The targets that are set through the Forestry Strategy and the New Forestry Code are not specific but rather general targets. The new forestry code provides the obligation to develop guides and secondary legislation in this area.

Climate change and Forest carbon absorption

- Does your country have legislation/measures setting specific climate change targets or objectives for sustainable forest management at a national or regional level?

Forests play a critical role in carbon sequestration, with national strategies aiming to enhance their resilience and contribution to climate mitigation (Article 6 of the new forestry code). According to Article 81, **Strengthening Forest Resilience and Enhancing Their Contribution to Mitigating Climate Change Effects requires the following**

1. **Technical Norms and Good Practice Guidelines:** The technical norms and good practice guidelines that shall be adopted according to Article 66 will include specific measures to increase the resistance and resilience of forest stands to the effects of climate change.
2. **Implementation of Silvicultural Management Measures:** Forest owners may implement specific silvicultural management measures aimed at increasing the amount of carbon dioxide sequestered by forest stands, provided there is a valid forest management plan in place.
3. **Evaluation of Sequestered Carbon Dioxide:** The assessment of the amount of sequestered carbon dioxide shall be conducted in accordance with technical norms, which encompass both specific measures to enhance carbon sequestration by forest stands and the methodology for determining/awarding and determining/valorizing carbon credits.
4. **Right to Valorize Carbon Credits:** The right to valorize carbon credits, as established in the preceding paragraph no 3, belongs to the owner or administrator of the National Forest Fund (FFN). The revenues resulting from the valorization of carbon credits constitute income for the owner or administrator of the FFN.
5. **National Programs for Increasing Sequestered Carbon:** The Authority finances national programs aimed at increasing the amount of carbon sequestered through the use of wood in the construction and furniture industries.
6. **Compensatory Payments from Emission Certificates:** From the funds obtained through the valorization of greenhouse gas emission certificates, in accordance with Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC, as subsequently amended and supplemented, the Authority shall allocate **compensatory payments to natural and legal persons who are forest owners**, as well as to administrative-territorial units that own forest land.

7. Forest land market

NOTE: The key objective is to identify and present information on the basic legal framework regulating market of forest land and inheritance processes.

Land transactions are regulated to prevent deforestation or improper use, maintaining forests' ecological and economic functions

The sale and lease of forest land are regulated to ensure sustainability and compliance with land use designations. Transfers must not compromise ecological integrity (Aricle 7 of the new forestry code).

- Are there specific legal requirements or limitations when selling and buying forest land?

According to Article 51 of the forestry code, Lands within the National Forest Fund (FFN) that are publicly owned by the State cannot be subject to the establishment of private ownership rights or any division of ownership rights, under penalty of absolute nullity of the constitutive act.

According to Article 52 of the forestry code: Concession of FFN Lands

1. Lands within the FFN that are publicly owned by the State cannot be concessioned, except for:
    - Lands associated with objectives/constructions installed in the FFN before 1990, for the duration of the constructions' existence, but not more than 49 years;
    - Lands associated with assets sold by Romsilva, for the duration of the constructions' existence, but not more than 49 years from the date of the sale-purchase contract;
    - Lands associated with assets rented by Romsilva, for a maximum duration of 5 years from the date of the rental contract.
2. The calculation of the royalty value resulting from the concession of lands within the state publicly owned forest fund is established through a methodology approved by Government decision within 120 days from the entry into force of this law.

Article 53: Pre-emption Right in the Purchase of Privately Owned Lands Included in the FFN

1. By derogation from the provisions of Article 1,746 of Law No. 287/2009, that stipulates that:
    - the privately owned forest lands can **be sold respecting, in order, the pre-emption rights** of co-owners or neighbouring forest owners) republished, with subsequent amendments and completions,
    - lands within the FFN that are privately owned are sold respecting, in order, the pre-emption right of co-owners, owners of adjacent lands within the FFN, the Romanian State exercised through Romsilva, and administrative-territorial units, at equal price and conditions.
2. The seller is obliged to notify in writing all pre-emptors provided in paragraph (1), through a judicial executor or public notary, about the intention to sell, also indicating the price requested for the land to be sold. If the co-owners or neighbouring landowners, other than the administrator of the State publicly owned FFN lands, do not have a known

domicile or headquarters, the sale offer notification is registered at the town hall(s) in whose jurisdiction the land is located and is posted, on the same day, at the town hall's headquarters, under the care of the local council secretary.

3. Holders of the pre-emption right must express in writing their intention to purchase and communicate the acceptance of the sale offer or, as the case may be, register it at the town hall where it was posted, within **30 days from the date of communication** of the sale offer or, as the case may be, from **its posting** at the town hall's headquarters.
4. If within the term provided in paragraph (3) none of the pre-emptors expresses the intention to purchase, the **sale of the land is free.** Before the public notary, proof of notification to pre-emptors is made with a copy of the communications made or, if applicable, with the certificate issued by the town hall, after the expiration of the 30-day term in which the intention to purchase should have been expressed.
5. Failure by the seller to fulfill the obligation provided in paragraph (2) or selling the land at a lower price or under more advantageous conditions than those shown in the sale offer leads to the absolute nullity of the sale.
6. The Romanian State can acquire lands within the FFN that are privately owned under the conditions provided in Article 863(c) of Law No. 287/2009, republished, with subsequent amendments and completions. The lands thus acquired enter the public property of the State.

Article 55: Manner of Acquiring Forest Lands by the Romanian State

1. The procedure for acquisition through purchase, exchange, or donation, by Romsilva and other administrators of publicly owned FFN, under the conditions provided in Article 53, as well as the procedure for the evaluation of publicly owned forest lands and associated forest vegetation, and the procedure for the evaluation of forest lands transferred from public to private ownership for the purpose of reconstituting property rights, is approved by Government decision at the proposal of the Authority, within 180 days from the entry into force of this law.
2. For areas up to and including 500 hectares, the state, through Romsilva, exercises its pre-emption right to purchase lands within the FFN, up to the maximum values established according to the procedure provided in paragraph (1).
3. For areas over 500 hectares, the state, through Romsilva, exercises its pre-emption right to purchase lands within the FFN, under the conditions of paragraph (1), with the possibility of negotiation with an additional value that cannot exceed 15% of the value established according to the procedure provided in paragraph (1).

Article 56: Conditions for Land Exchange

1. To carry out land exchanges in situations where one of the lands is public property, the exchange must meet at least one of the following conditions:
    - Lead to the elimination of enclaves from the State publicly owned FFN;
    - Determine the consolidation of lands within the State publicly owned FFN;
    - Ensure the increase of afforested areas in regions deficient in forests;

- Ensure the value equivalence of the lands subject to exchange, according to the methodology provided in Article 55, without reducing the area of publicly owned FFN.

2. The land exchange provided in paragraph (1) is initiated by the administrator of publicly owned FFN lands or by the owner, in the case of publicly owned FFN lands of administrative-territorial units, and is approved by order of the head of the Authority.
3. In cases where the area of FFN lands is less than 30% of the county's area, land exchange can only be carried out within the same county

- Are there limitations to divide the land by selling or inheritances?

According to Article 54: Land Exchange

1. Administrators of lands within the FFN owned by the state or administrative-territorial units take measures to eliminate enclaves, correct the FFN perimeter, and consolidate the lands they manage through land exchanges by authentic acts.
2. Lands subject to exchange have/acquire forest designation.
3. The land exchange is carried out at least in equivalence of area or value.

- Are there institutions/bodies providing information related to the forest land market?

In Romania, information related to the forest land market is not centralized in a single institution.

Wood auctions may be found on Romsilva webpage[60], concerning the public forests sales.

- Are there institutions/bodies contributing to dynamize that market, like forest land banks or advisory bodies (similar to the CAP advisory bodies) and others? Is there regular information on the amount of forest land transferred and the prices of transmissions? (Information on this market is usually missing)

Association of Private Forest Owners (APPR): Established in 1998, APPR is a national-level umbrella organization representing various categories of private forest owners in Romania.

The association plays a crucial role in advocating for private owners' rights and interests, providing advisory services, and promoting sustainable forest management practices among its members.

Romanian Foresters Association (ASFOR): Founded in 1994, ASFOR is a professional and employer association representing the forestry and primary wood processing sector. The Romanian government has entrusted ASFOR with the authority to issue and withdraw licenses for companies engaging in forestry activities. The association brings together over 2,000 firms in Romania and supports the modernization of the Romanian forestry sector.

Information on Forest Land Transactions and Prices:

While there is regular information available on timber prices, especially through Romsilva's auctions, comprehensive data on forest land transactions and their prices are less readily

[60] http://licitatii.rosilva.ro/

accessible. The fragmented **nature of private ownership, with over 750,000 private individuals** owning forest land, often in small parcels averaging 1.1 hectares, **complicates the consolidation and reporting** of such data.

Additionally, the **dynamic legislative environment, with numerous changes over the years, adds to the complexity of the forest land market.**

- Are there **regulations of forest land leasing**? Are they common with agricultural land or independent and with specific requirements?

The forests may be leased according to the provisions of the Civil Code and Administrative Code[61] for the lease of agri - forestry lands. Forest land lease is subject to mandatory provisions of the forestry management plans, or to the provisions concerning temporary land occupation if the conditions provided by art 38 of the new forestry code are met.

- Are there obligations and or access to insurances for forest land or forest activities?

In Romania, there are no explicit legal obligations mandating insurance coverage for forest land or forestry activities. However, engaging in such activities entails various risks, including natural disasters, fires, and other unforeseen events. To mitigate these risks, **forest owners and operators often opt for voluntary insurance policies.** These policies can provide financial protection against potential damages, ensuring the sustainability and economic viability of forestry operations.

Article 124 of the forestry code regulates the Forest Conservation and Regeneration Fund

1. **Establishment of the Fund:** Administrators of lands within the National Forest Fund (FFN) owned by the State, as well as other FFN landowners, are required to establish an interest-bearing, non-taxable, fiscally deductible Forest Conservation and Regeneration Fund, treated as **a fiscal reserve.** This fund is managed by and held in the account of the administrator or the provider of forestry services.
2. **Sources of the Fund:** The fund is constituted from the following sources:
    - The value of land permanently removed from the state-owned public FFN, in cases where no compensatory land is provided.
    - The value of growth loss resulting from timber exploitation before reaching exploitable age on lands permanently or temporarily removed from the state-owned public FFN.
    - 30% of the rent amount for the temporary occupation of lands within the state-owned public FFN.
    - Compensation amounts for damages caused to the state-owned public FFN.
    - 100% of compensation amounts for damages caused to privately owned FFN.
    - 10-25% of the value of sold and collected timber from primary and accidental products, calculated based on the **average price per cubic meter of timber**, for State-owned public lands; the percentage is annually determined by Romsilva, INCDS, and RAAPPS through their respective forestry districts.
    - 10-25% of the value of authorized timber for exploitation from primary and accidental products, calculated based on the **average price per cubic meter of timber**, for other

[61] https://legislatie.just.ro/Public/DetaliiDocument/292657

forms of ownership; the percentage is annually determined by the owner based on the substantiation provided by the forestry district.
   - Amounts representing the costs of establishing/re-establishing forest vegetation for lands subject to compensation/temporary occupation, as well as costs necessary until achieving forest mass status for lands within the FFN.
   - Amounts representing the value of effects determined by the protective, ecological, and social functions of forests.
   - Amounts resulting from the situation described in Article 22, paragraph (3).
   - Allocations from the state budget.
3. **Utilization of the Fund:** The fund is used for:
   - Regenerating areas subjected to cutting.
   - Afforesting barren lands recorded in the forestry management plan or those acquired for afforestation purposes.
   - Re-establishing forests on temporarily occupied lands within the FFN.
   - Performing assistance and care works for natural and artificial regenerations and caring for existing young stands.
   - Conducting works in forest genetic resources listed in the National Catalog of Basic Materials.
   - Covering expenses incurred in restoring forests affected by calamities.
   - Carrying out cleaning, thinning, and artificial pruning works.
   - Purchasing lands designated for agricultural or forestry purposes.
   - Managing forests with special protection functions, in cases where timber production processes are not regulated.
   - Conducting studies and works for forest protection.
   - Fencing lands where natural regenerations and plantations are established.
   - Reimbursing costs of seedlings produced in own nurseries or purchased, used for afforestation or reforestation on FFN lands for which technical forestry service contracts are concluded.
   - Paying for administration/guard services from the remaining available funds at the end of the year.
   - Establishing new nurseries.
   - Ensuring irrigation of plantations and nurseries.
   - Acquiring equipment and machinery necessary for artificial forest regeneration.
4. **Funding Timeline:** The fund is replenished when payment obligations arising from the financing sources become due.
5. **Record-Keeping:** The fund is recorded per owner/holder.
6. **Carryover of Funds:** Unused amounts in this fund at the end of the calendar year are carried over to the next year with the same purpose, except for those provided in paragraph (2), letter k.
7. **Refunds to Private Owners:** For lands within the privately owned FFN and public property of administrative-territorial units, after covering current year expenses from the fund constituted in the previous year for the purposes specified in paragraph (3), letters a)-d) and n), the remaining available amounts are refunded to the owner upon request.

8. **Alternative Funding:** Works intended to be financed from the Forest Conservation and Regeneration Fund can also be carried out with own resources.

- Are there specific regulations providing, facilitating or limiting access to financial credits for forest activities or mortgages on forest land?

In Romania, there are no specific regulations that either facilitate or limit access to financial credits for forest activities or the establishment of mortgages on forest land. The general legal framework governing real estate transactions and financing applies to forest lands as well.

8. Forest companies, Forest incentives and taxation.

Forest companies operate under Romsilva or private entities. Incentives include tax exemptions for sustainable practices, and penalties are imposed for non-compliance.

Forest Companies

- Is there a register of forest industries? Is there a register of forest contractors?

In Romania, there is no centralized, publicly accessible national register exclusively listing all forest industries or forest contractors.

- Is there any specific regulation on forest ownership, forest cooperatives or other types of forest companies or are they all regulated under the Company Law?

In summary, while the Company Law provides the overarching framework for company operations in Romania, forest ownership and the activities of forest-related entities are subject to additional, specific regulations as outlined in the Forestry Code

- Do small forest owners have access to the status of forest companies?

In Romania, small forest owners have the opportunity to organize themselves into various legal entities, including forest cooperatives or companies, to manage their forest properties more effectively. This approach allows them to pool resources, share expertise, and achieve economies of scale in forest management and operations.

Forest incentives and taxation

- Are there effective subsidies for forest owners and managers to implement SFM? And/or to carry out biodiversity conservation measures? If it does exist, please compare the total amount paid at national level in the last 3 years with available information with the amount defined as necessary at the Prioritised Actions Framework.

In Romania, several financial mechanisms have been established to support forest owners and managers in implementing Sustainable Forest Management (SFM) and biodiversity conservation measures.

Subsidies and Financial Mechanisms:

- **Payment for Ecosystem Services (PES):** Romania has implemented PES programs to incentivize forest owners to adopt conservation measures beyond those mandated by national legislation. A study analyzing the impact of these financial mechanisms identified 904 cases involving 887 entities committed to such programs between 2017 and 2023[62]. This indicates a growing interest among forest owners in voluntary conservation efforts.
- **State Aid for Deforestation Prevention:** In August 2023, the European Commission approved Romania's state aid plan worth €200 million[63]. This fund is intended to compensate forest owners for refraining from felling trees, thereby preserving forest ecosystems in line with ecological objectives.

[62] Subsidies for Forest Environment and Climate: A Viable Solution for Forest Conservation in Romania?

[63] https://cordmagazine.com/news/romania-to-pay-200-million-euros-to-forest-owners-to-prevent-deforestation/?utm_source=chatgpt.com

Prioritised Action Framework (PAF):

Romania has developed a Prioritised Action Framework (PAF) for the Natura 2000 network, outlining funding needs and priorities for biodiversity conservation for the 2021–2027 period. The PAF serves as a strategic tool to identify and allocate necessary financial resources for conservation efforts.

Subsidies in Other sectors Affect Forests

1. Direct Forest Clearance for Projects

- **Infrastructure subsidies** (e.g. for roads, energy, or housing developments) often lead to **deforestation** as land is cleared for construction. This is especially critical near protected areas or in Natura 2000 sites, where **environmental impact assessments are sometimes bypassed or improperly enforced.**
- **Example**: EU-funded highways or dams have been documented to impact forest corridors and biodiversity in the Carpathians.

2. Agricultural Expansion

- **CAP (Common Agricultural Policy) subsidies** may incentivize landowners to convert forested or semi-natural lands into agricultural use. This undermines forest conservation when **forested lands not clearly included in the National Forest Fund (FFN)** are reclassified or cleared to access subsidies.
- Subsidies can indirectly reward deforestation by **promoting monocultures**, draining wetlands, or increasing chemical use near forest edges.

3. Land Value Pressure & Illegal Logging

- When subsidies raise the profitability of non-forestry land uses, they **increase pressure to illegally log and convert forest lands**, especially those privately owned or recently restituted but poorly monitored.
- The lack of harmonization between **forest protection laws and subsidy disbursement criteria** leads to exploitation of legal grey areas.

4. Subsidy Overlaps and Governance Gaps

- There's limited coordination between forestry (environmental) and agriculture ministries, leading to situations where **subsidized projects violate conservation rules**, but penalties are not enforced or are delayed.
- **Environmental safeguards are often weakly applied**, particularly when projects are fast-tracked or politically prioritized.

Conclusion

While subsidies are intended to promote economic development, when poorly regulated or misaligned with forest protection policies, they become a **major driver of deforestation, forest fragmentation, and biodiversity loss.** Stronger **cross-sectoral policy alignment, environmental safeguards, and transparency in subsidy allocation** are essential to mitigate these effects.

- What taxes are applicable to Forest companies and forest owners?

The **New Forestry Code of Romania**, enacted on December 20, 2024, introduces specific taxes and fees applicable to forest landowners and managers, particularly concerning the removal of land from the National Forest Fund (FFN).

Key Tax Provisions:

1. **Permanent Removal from FFN:**
    - When forest land is permanently removed from the FFN, the landowner is required to pay a tax equivalent to the fee for permanent removal with compensation, as stipulated in Article 41 of the new Forestry Code.
2. **Temporary Occupation of Forest Land:**
    - For temporary occupation of forest land, a tax is imposed, calculated based on the duration and specific use of the land during its occupation.

Additional Financial Obligations:

- Forest landowners and managers must also contribute to the **Forest Conservation and Regeneration Fund**, which is financed through various sources, including:
    - The value of land permanently removed from the state-owned public FFN, if no compensatory land is provided.
    - 30% of the rent amount for the temporary occupation of lands within the state-owned public FFN.
    - Compensation amounts for damages caused to the FFN.
    - A percentage (ranging from 10% to 25%) of the value of timber sold and collected from primary and accidental products, calculated based on the average price per cubic meter of timber.

These contributions are utilized for activities such as forest regeneration, afforestation of barren lands, and restoration of forests on temporarily occupied lands.

9. Enforcement: Forest control and penalties.

- Are there specific measures in place to enforce compliance with the legal requirements on forest management?

Romania has implemented several measures to **enforce compliance with legal requirements** in forest management, aiming to protect its forests and promote sustainable practices.

New Forestry Code Enhancements:

In December 2024, the Romanian Parliament adopted a revised Forestry Code introducing key reforms:

- **Stronger Penalties for Illegal Logging:** The code imposes harsher penalties for unauthorized logging activities, serving as a deterrent against illegal exploitation of forest resources.
- **Introduction of New Forestry Offenses:** By defining additional offenses, the legislation closes previous legal gaps, ensuring comprehensive coverage of unlawful activities related to forest management:
    - **Falsification of Forestry Digital Records**
        - **Description:** Unauthorized input, modification, or deletion of data in the integrated forestry information system (e.g., SUMAL 2.0).
        - **Penalty:** Imprisonment from 1 to 5 years.
        - **Legal Basis:** Article 149 of the Forest Code
    - **Transporting Timber Without Legal Documentation**
        - **Description:** Transporting wood materials without valid documents proving legal origin.
        - **Penalty:** Imprisonment from 6 months to 3 years or a criminal fine.
        - **Legal Basis:** Article 151 of the Forest Code
    - **False Declarations Regarding Forestry Activities**
        - **Description:** Providing false information in statements related to forestry activities, including transport documentation. The criminal offence is described generally as: knowingly making false statements to public authorities or institutions, with the intent to produce legal consequences, constitutes a criminal offence punishable by imprisonment or a fine.
        - **Penalty:** Imprisonment from 6 month to 2 years.

- Legal Basis: Article 326 of the Romanian Penal Code
    - **Unauthorized Destruction of Urban Green Spaces**
  - **Description:** unauthorized destruction or degradation of forest vegetation in urban green spaces
  - **Penalty:** Imprisonment from 6 months to 3 years or a criminal fine
- **Legal basis:** Article 140 of the Forest Code
    - **Unauthorized Cutting of Dwarf Pine (Jnepeniș) inside and outside FFN**
  - **Description:** Unauthorized cutting of dwarf pine inside and outside FFN if the affected area exceeds 100 square meters,
  - **Penalty:** Imprisonment from 1 to 5 years or a criminal fine
- **Legal basis:** Article 143 paragraph 2 of the Forest Code
    - Performing **unauthorized forestry works in Ilfov County**
  - **Description:** illegal thinning, clearcutting, logging for profit, or cutting trees outside the legally approved purposes or timeframe in Ilfov County
  - **Penalty:** Imprisonment from 2 to 7 years
  - **Legal basis:** article 144 and 90 paragraph 1 and 2 from the Forest Code

Summary of Key Enhancements

- **Stricter Penalties:** The 2025 Code introduces more severe penalties for offences, reflecting a tougher stance on forest protection.
- **Expanded Scope:** Legal protections now explicitly include urban green spaces and specific vegetation types outside the National Forest Fund.
- **Detailed Offence Classification:** Offences are more precisely defined, with penalties tiered based on the severity of the damage, enhancing legal clarity and enforcement effectiveness.
- **Establishment of the National Forestry Registry:** This registry records all forestry operations, enhancing transparency and facilitating monitoring and enforcement efforts.

Timber Tracking and Monitoring Systems:

To combat illegal logging and ensure traceability of timber, Romania has implemented:

- **Video Surveillance of Forest Roads:** To combat illegal logging and ensure full traceability of timber flows, Romania has implemented a robust legal and technological framework centered around SUMAL 2.0 — the national electronic timber tracking system. Governed by Government Decision No. 497/2020, Law No. 171/2010, and associated ministerial orders such as Order No. 1183/2020, SUMAL 2.0 mandates real-time electronic documentation of timber harvesting, transportation, and processing. This includes GPS-based route tracking, photographic proof of cargo, and barcode-linked transport permits.

- The legal framework also requires the installation of video surveillance and technical monitoring systems along forest roads and key transit points, enhancing the ability of forestry and environmental authorities to supervise timber movements and detect irregularities.
- **Timber Tracking Regulations:**

Key Legal Bodies Involved in Timber Tracking in Romania (2025)

1. Ministry of Environment, Waters and Forests (MMAP): Oversees forest policy, manages the SUMAL 2.0 system, and issues regulatory orders for timber traceability and forest protection.
2. Forest Guard (Garda Forestieră): Conducts field inspections, verifies timber harvesting and transport documents, and enforces compliance with forestry laws, including the use of SUMAL.
3. Environmental Guard (Garda Națională de Mediu): Monitors environmental compliance, investigates illegal logging activities, and imposes administrative sanctions.
4. Romanian Police (Poliția Română): Enforces road and forestry law, inspects timber transports, and assists in investigations of forestry-related crimes.
5. Romanian Gendarmerie (Jandarmeria Română): Supports forest guards and police in field operations, especially in remote or high-risk areas. It provides security during timber transport inspections and intervenes in illegal logging cases.
6. Public Prosecutor's Office: Handles criminal investigations and prosecutes serious forestry offenses, often based on evidence gathered through SUMAL and joint inspections.

WWF-Romania and Agent Green Association have been actively involved in monitoring the enforcement of timber tracking rules, contributing to the development of the Romanian National Forest Strategy for 2030, which incorporates principles aimed at combating illegal logging.

Environmental Regulations and Compliance Obligations:

Romania's integration into the European Union has led to the enhancement of environmental regulations, including those related to forestry. The Ministry of Environment oversees the issuance of necessary permits and ensures adherence to environmental standards, promoting sustainable development and conservation of biodiversity.

The National Forest Guard enforces laws, including penalties for illegal logging, deforestation, or neglect of forest management obligations. The National Forest Guard enforces forestry regulations, imposing penalties for illegal logging, non-compliance with management plans, and neglect according to the new forestry code.

The following authorities have the competence to ascertain acts established as offenses under this law:

a) Forestry personnel within the Authority, the National Forestry Guard, and the Forestry Guards;

b) Forestry personnel within the administrators of lands in the National Forest Fund (FFN) that are public property of the state;

c) Forestry personnel within private forestry districts;

d) Criminal investigation bodies;

e) Officers and agents of the Romanian Police;

f) Officers and agents of the Romanian Border Police;

g) Officers and non-commissioned officers of the Romanian Gendarmerie.

The authorities listed in points a) to c) of paragraph 1 have the competence **to identify trees designated for harvesting, stumps from trees that have been unlawfully cut,** and to inventory, at their locations, timber resulting from acts described in this law as offenses.

The authorities listed in points e) to g) of paragraph 1, who are not forestry personnel, have the same competences as those mentioned in paragraph 2 if they are graduates of long-term higher education with a bachelor's degree, possibly supplemented by a master's/doctorate in engineering sciences in the field of forestry, or graduates with a diploma from short-term technical higher education with qualifications in forestry, if they have specialized forestry training certified by a diploma from an educational institution recognized in Romania, or if they have **completed a professional training** program in forestry organized by the training institutions of the Ministry of Internal Affairs or by an accredited professional training provider. The Authority provides specialized support for the training and improvement of the authorities within the training institutions of the Ministry of Internal Affairs.

The **control of timber depots** is also carried out by personnel with control duties from the National Agency for Fiscal Administration, at the request of the Authority, the National Forestry Guard, or its territorial structures.

The provisions of this title are supplemented, as appropriate, by the provisions of Law no. 286/2009 regarding the Criminal Code, as amended and supplemented, and Law no. 135/2010, as amended and supplemented.

The criminal offences provided by the new forestry code are:

Article 140

1. The destruction or degradation of forest vegetation installed in green spaces, without legal right, as defined by Law no. 24/2007 on the regulation and management of green spaces in urban areas, republished and subsequently amended, is punishable by imprisonment from 6 months to 3 years or a fine.
2. Attempt is punishable.

Article 141

The law on the establishment and sanctioning of forestry offenses **introduces a penalty points system** proportional to the severity of the act. This system allows for the **suspension or revocation** of access to the integrated **forest information system** for the offender or for the means of transport used in the offense.

Article 142: Offense of Forest Vegetation Destruction in National Forest Fund (NFF)

1. The unauthorized breaking, destruction, degradation, or uprooting of trees, saplings, or seedlings in the NFF, regardless of ownership, constitutes a forestry offense and is punishable as follows:
    a. Imprisonment from 6 months to 3 years or a fine if the damage exceeds five times the average price of one cubic meter of wood at the time of the offense.
    b. The same punishment applies if the cumulative damage caused by repeated offenses within a year exceeds the aforementioned threshold.
    c. Imprisonment from 2 to 7 years and prohibition of certain rights if the damage is at least 20 times the average price of one cubic meter of wood.
2. Attempt is punishable.

Article 143: Unauthorized Tree Cutting in NFF

1. Unauthorized cutting of trees in the NFF, regardless of ownership, is punishable as follows:
    a. Imprisonment from 6 months to 3 years or a fine if the damage is up to 5 times the average price of one cubic meter of wood.

    b. Imprisonment from 1 to 5 years and prohibition of certain rights if the damage is between 5 and 20 times the average price of one cubic meter of wood.

    c. Imprisonment from 2 to 7 years and prohibition of certain rights if the damage exceeds 20 times the average price.

2. Cutting shrubs over an area larger than 100 square meters is punishable by 1 to 5 years of imprisonment or a fine.
3. Attempt is punishable.
4. Cutting trees to ensure road or railway safety or clearing blockages does not constitute an offense.

Article 144

1. Violation of Articles 90 (1) and (2) is punishable by 2 to 7 years of imprisonment.
2. Attempt is punishable.

This means:

- Performing **unauthorized forestry works in Ilfov County** (e.g., illegal thinning, clearcutting, logging for profit, or cutting trees outside the legally approved purposes or timeframe) is no longer just an administrative offense — it is now a **criminal act.**
- Even the **attempt** to carry out such prohibited actions (e.g., marking trees for cutting or preparing illegal operations) is punishable.

Article 145: Aggravating Circumstances

1. Penalties under Articles 142, 143, and 150 are increased by half if the acts were committed:
   a. By individuals carrying weapons, explosives, narcotics, or paralytics.
   b. By forestry personnel.
   c. At night.
   d. By masked individuals.
   e. In high-conservation-value forest ecosystems.

Article 146: Integrity of NFF

1. Unauthorized construction or installation of objectives in the NFF is punishable by imprisonment from 6 months to 3 years.
2. Reduction of NFF area in violation of approved methodologies is punishable by the same penalty.

Article 147

Access to the integrated forest information system can be suspended for up to 90 days in cases of initiated criminal proceedings or regulatory violations.

Article 148

1. Unauthorized use of special **marking devices** constitutes a forestry offense, punishable by 6 months to 3 years of imprisonment or a fine.
2. Forgery of marking devices is subject to penal code provisions.

Article 149

Introducing, modifying, or deleting data in the forest information system to produce legal effects is punishable by 1 to 5 years of imprisonment or a fine.

Article 150: Theft of Trees

Theft of uprooted, cut, or broken saplings is punishable depending on the value of the stolen material, with imprisonment ranging from 6 months to 7 years.

Article 151

Unlawful possession or transportation of **timber without proper documentation** is punishable by imprisonment ranging from 6 months to 7 years, depending on the volume involved.

Article 152

Confiscation of timber resulting from forestry offenses is mandatory, either in-kind or through monetary compensation.

Article 153

Fines for legal entities committing forestry offenses range between 500 and 25,000 lei per penalty day.

Article 154

The perpetrator must bear the cost of transporting seized vehicles or goods to the custody location.

Article 155

For complex cases, the prosecutor may request specialized forestry personnel for investigation assistance.

Article 156

The provisions of this title are supplemented by the Criminal Code and the Criminal Procedure Code.

Law No. 171 of July 16, 2010[64], titled "On the Establishment and Sanctioning of Forestry Offenses," outlines the framework for identifying and penalizing violations within Romania's forestry sector.

Key Provisions:

1. **Definition of Forestry Offenses:**
    - Actions committed with intent that breach obligations set by forestry regulations are considered forestry offenses.
    - Such offenses are subject to sanctions as stipulated by this law.
2. **Applicable Sanctions:**
    - **Primary Sanction:** Monetary fines.
    - **Complementary Sanctions:** Confiscation of goods intended for, used in, or resulting from the offense, and/or the withdrawal or suspension of relevant authorizations, certifications, or agreements.
3. **Terminology Clarifications:**
    - **Mark:** The imprint made by a special marking device on a tree, as specified by technical norms, containing the specific indicator of the device.
    - **Norms Regarding the Circulation of Wood Materials:** Regulations concerning the origin, movement, and commercialization of wood materials, the regime of storage spaces, and facilities for processing round wood, as outlined in Article 73 of Law No. 46/2008 - the Forestry Code, with subsequent amendments.
4. **Obligations of Forest Owners:**
    - Forest owners are required to ensure continuous management or forestry services through authorized forestry units.
    - Failure to do so constitutes a forestry offense and is punishable by fines ranging from 1,000 to 2,000 lei.
5. **Responsibilities of Forestry Administrators:**
    - Administrators must maintain and repair forest roads and railways in accordance with legal norms.
    - Non-compliance is considered a forestry offense, subject to fines between 1,000 and 2,000 lei.
6. **Enforcement Authorities:**
    - The law designates specific authorities responsible for identifying and sanctioning forestry offenses, including forestry personnel and law enforcement agencies.

[64] https://legislatie.just.ro/Public/DetaliiDocument/120856

7. **Supplementary Provisions:**
    - The law is supplemented by the provisions of Law No. 286/2009 regarding the Criminal Code and Law No. 135/2010, with subsequent amendments.

Analysis: Are the Sanctions in the New Forestry Code Sufficient?

Positive Aspects – Legal Enhancements in the 2025 Code

The new Forestry Code introduces a range of improved legal provisions:

- **Tiered imprisonment sentences** for unauthorized tree cutting based on damage value (from 6 months up to 7 years).
- **New criminal offenses** targeting:
    - Unauthorized logging, marking device fraud, and falsification of SUMAL records (1 to 5 years imprisonment).
    - Illegal land use changes in the National Forest Fund (6 months to 3 years imprisonment).
    - Aggravating circumstances (e.g., crimes committed by forestry officials or at night) result in penalties increased by 50%.
- Expansion of protected zones (e.g., bans on clear-cutting in parks and urban forests) and stricter documentation and tracking of timber transport via SUMAL 2.0.

Critical Gaps – Based on WWF[65] and Agent Green[66] Analyses

1. **Lack of Structural Reform**
    - **WWF Romania** argues that despite stronger penalties, the new code fails to address **systemic corruption, institutional capture, and political interference.** Sanctions are of little use if enforcement is blocked or diluted in practice.
    - **Fragmented oversight:** Multiple institutions (e.g., National Forest Guard, Romsilva, local forestry districts) have overlapping roles but poor coordination. This leads to inefficiencies and lack of accountability in enforcement.
    - **Limited inter-agency cooperation:** Environmental, forestry, police, and judicial systems often do not communicate effectively, leading to delayed or dropped investigations of forest crimes.
    - **Staffing shortages:** Forest Guard inspectorates frequently lack sufficient personnel to monitor vast forest areas—some regions are monitored by just a few agents covering tens of thousands of hectares.
    - **Lack of equipment and technology:** Despite the rollout of SUMAL 2.0, many enforcement teams lack vehicles, GPS tools, or access to real-time data, undermining rapid response capabilities

[65] WWF Romania, The New Forest Code fails to implement clear reforms in forestry, 2024, https://wwf.ro/paduri/codul-silvic-rateaza-sansa-de-a-face-reforma-silviculturii/

[66] Agent Green Association, The New Forest Code, a failed opportunity for Romanian Forests, https://ecologic.rec.ro/noul-cod-silvic-2025-analiza-agent-green/, January 2025

- **Knowledge gaps in digital systems:** SUMAL 2.0 requires trained staff capable of monitoring, analyzing, and acting on large datasets. Many forestry officials are not sufficiently trained to use these tools effectively.
- **Weak understanding of legal procedures:** Forest rangers and inspectors may lack basic training in criminal law or judicial procedures, leading to weak case files that fail in court.

2. **Over-reliance on Future Subordinate Legislation**
   - Both WWF and **Agent Green** criticize the Code for leaving **over 30 critical reforms to be defined in future government decisions or ministerial orders**, delaying effective implementation and reducing the power of the primary law.
3. **Selective Protection**
   - Agent Green notes that although Ilfov County benefits from new bans and high penalties, **other vulnerable areas are left without equal protection**, and ecological criteria are not uniformly applied.
4. **Under-Enforcement of Existing Provisions**
   - While penalties are formally harsh, both NGOs highlight the **low rate of prosecutions** and a judicial system that rarely imposes maximum sentences. In practice, offenders often receive suspended sentences or fines, which **fail to act as deterrents.**
5. **No Real Accountability Mechanism**
   - There are **no independent mechanisms for monitoring forestry officials or enforcing transparency**, despite the law acknowledging corruption and institutional abuse as aggravating circumstances.

Conclusion: Are the Sanctions Sufficient?

Legally, the sanctions are more comprehensive and severe than in prior versions of the code. However, based on expert NGO assessments and your report, they are **not sufficient in practice** due to the following:

- Weak institutional enforcement and political influence
- Delayed or missing secondary legislation
- No systemic reform of oversight bodies
- Inconsistent regional application of protections

Therefore, the legal provisions must be seen as a partial solution that requires urgent institutional reforms, capacity building, and judicial accountability mechanisms to become effective tools for forest protection.

10. Conclusions

Legal or regulatory barriers for SFM

- What are the main legal and regulatory barriers and enablers affecting the implementation of SFM in your country?

Barriers

1. **Weak Enforcement of Forestry Laws**
    - Inadequate monitoring systems to ensure compliance with SFM regulations.
    - Corruption among enforcement officials or within forest governance bodies.
    - Lack of severe penalties for illegal logging, forest degradation, or encroachment.
2. **Fragmented Legal Framework**
    - Overlapping jurisdictions between national and local authorities.
    - Inconsistent policies between forest conservation and other land-use sectors like agriculture and mining.
    - Lack of harmonization with international treaties or agreements related to forestry.
    - Secondary legislation on too many issues that should be integrated into the Forest code, such as the strategic environmental assessment and appropriate assessment procedures, restauration of the degraded habitats procedures etc.
3. **Limited Resources and Capacity**
    - Insufficient funding for forestry departments or agencies responsible for implementing SFM.
    - Lack of skilled personnel to design, monitor, and enforce SFM practices.
4. **Ineffective Land Tenure and Property Rights**
    - Unclear or contested land ownership.
    - Insecure tenure for indigenous or local communities who traditionally manage forests.
5. **Economic Pressures and Short-Term Gains**
    - Overemphasis on maximizing timber revenues at the expense of long-term forest sustainability.
    - Subsidies or incentives for activities that compete with or degrade forests (e.g., large-scale agriculture or infrastructure development).
6. **Insufficient Stakeholder Engagement**
    - Exclusion of local communities, and other stakeholders from decision-making processes.

- Limited participation in benefit-sharing mechanisms.

7. **Lack of Data and Technology**
    - Absence of accurate forest inventories and monitoring tools.
    - Limited integration of technology such as Geographic Information Systems (GIS) for forest planning and management.

- A consulted forestry association affirmed the following:
- "The legislative framework governing private forest ownership should be simplified. While private forest owners must comply with requirements related to forest protection and sustainable management, they should also be more actively involved in decision-making at all levels. State or private forest administrators should primarily act as advisors rather than decision-making managers". → However, according to the author of the report certain management decisions must remain in the hands of certified forestry professionals, since inappropriate interventions can result in long-term ecological harm. In this view, specialised administration is essential to ensure the protection of forests and biodiversity, while owner participation remains important within the limits of technical and ecological requirements.
- "Compensation and subsidy schemes should prioritise direct payments to private forest owners. Such compensation should reflect the multiple functions that forests provide, including carbon sequestration and oxygen production, biodiversity conservation, and recreational services where public access is permitted". → It is noted that current legislation already establishes relevant schemes, though implementation may be incomplete. Certain subsidies are designed to support technical administration carried out by authorised administrators and are therefore allocated to them, rather than directly to forest owners, to ensure proper implementation of ecological protection measures.

Enablers

- **Comprehensive Legal and Policy Frameworks**
    - Clear, integrated forestry laws promoting SFM principles.
    - Alignment with international frameworks such as the Forest Stewardship Council (FSC) and REDD+.
- **Incentives for SFM Practices**
    - Subsidies or financial support for sustainable forestry initiatives.
    - Tax breaks or credits for companies adhering to certified forestry practices according to Article 464(1)(w) of the Romanian Fiscal Code
- **Strengthened Forest Governance**
    - Transparent mechanisms to address illegal logging and forest encroachment.
    - Capacity-building programs for enforcement agencies and judiciary.
- **Recognition of Community and Indigenous Rights**

    - Secure land tenure and legal recognition of traditional forest management practices.
    - Inclusion of indigenous knowledge in forest planning and policymaking.
- **Public-Private Partnerships (PPPs)**
    - Collaboration between governments, private companies, and NGOs to promote SFM investments.
    - Development of market-based mechanisms such as carbon credits or payment for ecosystem services (PES).
- **Technology and Innovation**
    - Utilization of satellite imagery and remote sensing for forest monitoring.
    - Adoption of blockchain technology to enhance transparency in the timber supply chain.
- **Awareness and Capacity Building**
    - Education and training programs for local communities and forestry stakeholders.
    - National campaigns to raise public awareness about the benefits of SFM.
- **International Support and Collaboration**
    - Access to funding from international organizations like the World Bank, FAO, or UNDP.
    - Participation in global initiatives such as the Paris Agreement or the Bonn Challenge.

- Are there specific legal and regulatory barriers or challenges to implement a closer-to-nature approach in forest management in your country?

1. Focus on Timber Production Over Biodiversity Conservation

- **Barrier:** Romania's forest management framework historically emphasizes timber production and economic yield. Forestry laws often prioritize timber harvesting schedules and do not sufficiently incorporate closer-to-nature principles, such as biodiversity conservation and mixed-species forests.
- **Impact:** Monoculture plantations and even-aged management systems dominate, conflicting with natural regeneration and ecological restoration objectives.

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2. Rigid Management Plans

- **Barrier: Romanian forestry** regulations require the implementation of 10-year Forest Management Plans (FMPs) to 20 years according to the new forestry code, approved by the Ministry of Environment, Waters and Forests. These plans often rely on traditional silvicultural practices and are less adaptable to closer-to-nature methods.
- **Impact:** Limited flexibility in modifying forest management practices to integrate closer-to-nature approaches, such as selective logging or protecting old-growth trees.

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3. Overlapping Jurisdictions and Bureaucratic Complexity

- **Barrier: Overlapping responsibilities between** various institutions (e.g., Romsilva, the Ministry of Environment, Water and Forests, and local authorities, The Environmental Guard, The Forests Gurad, The Waters Administration) create administrative inefficiencies.
- **Impact:** Slow implementation of innovative forest management strategies and delays in approving sustainable forest projects.

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4. Weak Enforcement and Illegal Logging

- **Barrier: Despite improvements in** monitoring, illegal logging remains a significant issue in Romania. As timber producer, the inability to enforce existing laws requiring traceability and due diligence documentation undermines trust in sustainable forest management practices.
- **Impact:** Closer-to-nature approaches require strong governance and enforcement to protect biodiversity-rich areas, which is challenging in a context of persistent illegal activities.

5. Insufficient Recognition of Ecosystem Services

- **Barrier**: Romanian forestry laws focus primarily on wood production and lack adequate mechanisms to **recognize or compensate** for ecosystem services such as carbon sequestration, water regulation, and biodiversity. The provisions of the new forestry code are not yet applicable as it lacks implementation norms.
- **Impact**: Limited financial incentives for adopting closer-to-nature approaches that prioritize ecosystem services over timber production.

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6. Inadequate Protection for Old-Growth Forests

- **Barrier**: While some old-growth forests are protected under Natura 2000 and UNESCO designations, many remain vulnerable due to gaps in legal protection and enforcement.
- **Impact**: The exploitation of high conservation value forests contradicts closer-to-nature principles, which emphasize preserving such ecosystems.

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7. Poor Stakeholder Engagement

- **Barrier**: Limited involvement of local communities, NGOs, and indigenous groups in forest management decisions according to Law no 52/2003 concerning decision-making transparency in public administration, incuding instances such as impact assessments of the adoption of Forest Management Plans.
- **Impact**: A closer-to-nature approach relies on participatory governance, but Romania's forestry framework often marginalizes non-governmental stakeholders.

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8. Lack of Economic Incentives

- **Barrier**: Romania does not have well-developed mechanisms for payments for ecosystem services (PES) or incentives for forest owners who adopt sustainable practices.
- **Impact**: Private forest owners, who manage a significant portion of Romania's forests, may prioritize short-term economic gains over long-term ecological benefits.

9. Insufficient Alignment with International Goals

- **Barrier**: Although Romania is a member of the EU and participates in international agreements like the Paris Agreement and the Convention on Biological Diversity, domestic implementation of closer-to-nature approaches lags behind due to weak integration of these goals into national forestry laws.
- **Impact**: Opportunities for funding and technical support through EU programs are underutilized.

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10. Limited Awareness and Training

- **Barrier**: Many forest managers and workers lack the training or knowledge to implement closer-to-nature practices effectively.
- **Impact**: A lack of education on the ecological and economic benefits of closer-to-nature approaches hinders their adoption.

Possible Solutions for Overcoming Barriers

1. **Revising Forest Management Plans**: Update FMPs to include provisions for closer-to-nature practices, such as selective logging, mixed-species planting, and natural regeneration.
2. **Strengthening Legal Protections**: Expand and enforce protections for old-growth and high conservation value forests.
3. **Developing Financial Incentives**: Introduce payments for ecosystem services (PES), carbon credits, and other mechanisms to incentivize sustainable practices.
4. **Enhancing Monitoring and Enforcement**: Increase funding and capacity for monitoring illegal activities, leveraging technology like satellite imagery and drones.
5. **Promoting Stakeholder Engagement**: Involve local communities, NGOs, and private forest owners in forest management planning and decision-making.
6. **Aligning with EU Programs**: Leverage EU funding and expertise to integrate Natura 2000 goals and other biodiversity commitments into Romania's forestry framework.
7. **Capacity Building and Training**: Provide education and training for forest managers and workers on closer-to-nature practices.

By addressing these barriers, Romania can progress toward implementing a closer-to-nature approach in forest management, aligning economic, ecological, and social objectives.

- What are the main legal drivers for implementing a closer-to-nature approach in forest management for relevant actors?

For implementing a closer-to-nature approach in forest management, key legal drivers include:

1. **EU Biodiversity Strategy for 2030**: This strategy aims to increase the quantity of forests and improve their health and resilience. It emphasizes that "biodiversity-friendly forestry practices such as closer to nature forestry should be further developed." To support this,

the European Commission committed to developing guidelines on biodiversity-friendly afforestation, reforestation, and closer-to-nature forestry practices.

2. **EU Forest Strategy for 2030**: Building upon the Biodiversity Strategy, this strategy defines closer-to-nature forest management as a set of practices ensuring multifunctional forests by combining biodiversity goals, carbon stock preservation, and timber-related revenues. It proposes developing a definition and adopting guidelines for closer-to-nature forestry practices, as well as creating a voluntary certification scheme.

These strategies serve as legal drivers by setting policy directions and frameworks that relevant actors—such as national governments, forest managers, and private landowners—are encouraged or required to follow. The development of guidelines and certification schemes further operationalizes these policies, providing concrete steps and standards for implementing closer-to-nature forest management practices.

Legal or regulatory gaps in national forest legislation

Please provide key conclusions based on the information referred to in previous sections.

Romania's national forest legislation has undergone significant reforms, notably with the adoption of a new Forestry Code by the Romanian Parliament on December 17, 2024. This code introduces essential measures such as unrestricted public access to forests, the creation of green belts around cities, and stricter penalties for illegal logging.

Despite these advancements, **several legal and regulatory gaps** persist[67]:

1. **Alignment with Strategic Objectives**: The current draft of the new Forestry Code appears to deviate from the strategic objectives outlined in Romania's National Strategy for Forests (SNP30). This misalignment raises concerns about the effective implementation of sustainable forest management practices.
2. **Compensation Mechanisms for Protected Areas**: While the new Forestry Code acknowledges the need for compensating forest owners whose lands are designated as protected areas, concrete mechanisms for such compensation remain undefined. This ambiguity can lead to conflicts between conservation goals and property rights.
3. **Enforcement Challenges**: Despite stricter penalties introduced in the new Forestry Code, the effectiveness of enforcement is questioned due to issues such as insufficient resources and knowledge among relevant authorities. This gap jeopardizes the proper implementation of laws intended to combat forestry crimes.
4. **Governance of Natura 2000 Sites**: Romania has faced challenges in the governance of Natura 2000 sites, including overlapping protected areas and a lack of resources for effective management. These issues have led to conflicts and a negative attitude among local communities towards new protected area designations.
5. **Outdated Legal Frameworks**: Despite reforms, certain aspects of Romania's forestry laws remain outdated, failing to address contemporary challenges such as climate change and biodiversity loss. The current New Forestry Code has been criticized for deviating from the strategic objectives outlined in the National Strategy for Forests, potentially undermining sustainable forest management efforts.

[67] https://www.agentgreen.ro/noul-cod-silvic-o-oportunitate-ratata-pentru-padurile-romaniei/

6. **Inadequate Enforcement Mechanisms**: Illegal logging remains a significant issue, indicating weaknesses in the **enforcement of existing laws**. Reports suggest that half of all Romanian timber is illegally harvested, with a "timber mafia" exerting considerable influence. This situation is exacerbated by insufficient resources and potential corruption within enforcement agencies.
7. **Ambiguities in Land Tenure and Restitution**: Post-communist land restitution processes have been marred by corruption and misallocation, leading to unclear land ownership and tenure rights. This ambiguity hampers effective forest management and opens avenues for illegal exploitation.
8. **Lack of Community Participation**: There is a notable absence of mechanisms ensuring the involvement of local and indigenous communities in forest management decisions. This exclusion can lead to conflicts and the implementation of policies that do not align with the needs or knowledge of those directly interacting with forest ecosystems.
9. **Insufficient Integration with EU Directives**: While Romania has made strides in aligning its legislation with European Union directives, challenges remain in fully integrating and implementing these standards, particularly concerning biodiversity conservation and sustainable management practices.

As the legislative and institutional framework is rapidly changing, it is quite unclear. This could go both ways in this moment. We have to see the final outcome. For ex Romsilva is being reorganised, the Forest Guard is being reorganised, EPAs, etc etc. It is very difficult to see how the new forest code will be implemented and by whom. The new code has some very good provisions, but also some gaps.

National experts on forest legislation and references

- Please provide the names and contacts of 3 to 5 experts in forest legislation in your country,
  - Daniel Turiga, Laura Bouriaud, Octavian Berceanu

- Provide key books or articles analysing the national and/or regional forest legislation in your country, particularly if they compare it with other countries, if they analyse the effect in actual management of SFM.

  - "Legal Restrictions on the Sale of Forest Land in Romania. Comparative Analysis with French Law"[68] by Gabriela Teodoru (2022): This article examines Romania's legal framework governing the sale of forest lands, focusing on the right of preemption. It provides a comparative analysis with French legislation, highlighting similarities and differences in approaches to forest land transactions.
  - "Forest Legislation's Role in the Protection of Romanian Forests" by Lucreţia Dogaru (2018)[69]: This study offers a historical and evolutionary perspective on Romania's forestry laws, emphasizing their role in forest protection. It discusses the development, conservation, and sustainable management of Romanian forests, providing context for current legislative frameworks.
  - "The Winding Road towards Sustainable Forest Management in Romania, 1989–2022: A Case Study of Post-Communist Social–Ecological Transition" by Daniela Larion (2022)[70]: This paper delves into the evolution of forest management and ownership in Romania during significant political transitions. It identifies enablers and barriers to achieving SFM, offering a comprehensive analysis of legislative and institutional changes.
  - "Forest Management in the Prospect of Romania's Integration in European Union[71]" by Gabriel Duduman: This work presents a comparative analysis of Romania's forest management systems with those of other EU countries. It identifies potential strategies for sustainable development in the context of Romania's EU integration.

[68] 9. Gabriela Teodoru EN.pdf
[69] International Law Review
[70] (PDF) The Winding Road towards Sustainable Forest Management in Romania, 1989–2022: A Case Study of Post-Communist Social–Ecological Transition
[71] (PDF) Forest management in the prospect of Romania's integration in European Union

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