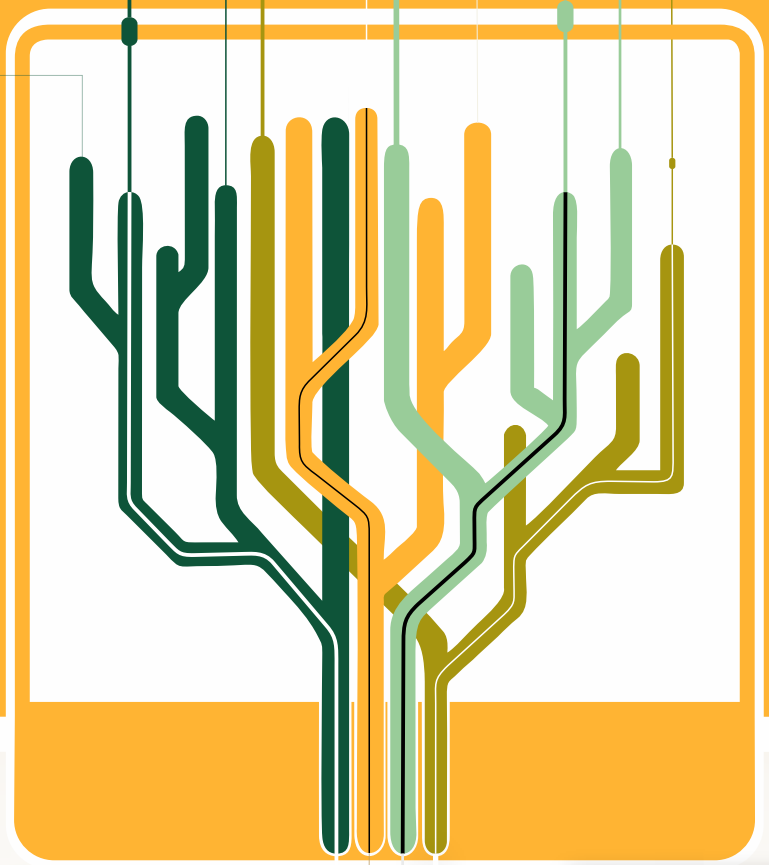
Romanian forest

resource

heritage

environment



Final version
15th of October
2019

VISION and PRINCIPLES 2020 2030

for the Development of Romania's Forest Policy

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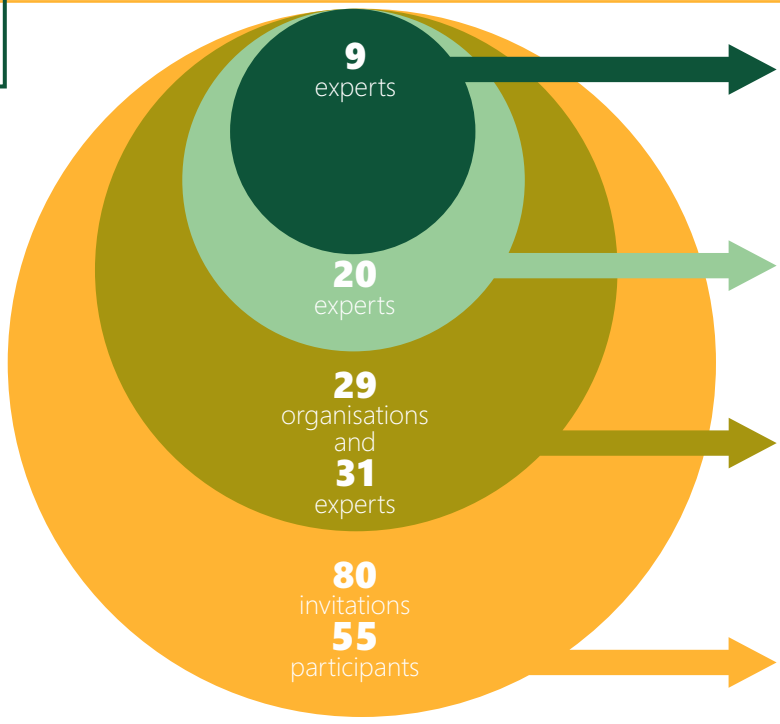
Research project: Romania Forest Policy Development, implemented by University "Ștefan cel Mare" of Suceava in October 2018 – August 2019

Summary of the elaboration and consultation process:
The dialogue platform used in drafting this document has been created outside the governmental framework, being coordinated by the Suceava University, precisely to ensure a unitary and ongoing methodological approach with experts and stakeholders involved in preparing this vision.

The development of the set of principles used a participatory process based on the activity of a core group of experts.



Core working group:
4 meetings: November - March 2019
Preliminary version of the principles: V0

Consultative expert group:
4 meetings: April - August 2019
Developing the principles and agreeing on the form to be submitted for the public consultation: V1

Public consultation:
17 July - 17 August 2019
Form to collect feedback on the documents
Organisational and expert based inputs

Public debate:
Brașov, 4th September 2019
The version presented integrates comments from public consultation: V2

The group of experts proposed a version of the document which was sent for public consultation between 17 July and 17 August 2019. In the public consultation process 7 organizations and 15 experts sent comments on the document.

These comments have been analysed and integrated in the version which represents the version of the document presented for the public debate on 4th of September 2019. This event had an attendance of 55 participants from different organizations, including state and private administrations, forest owners, forest guard, companies form wood harvesting and timber processing industry, environmental non-governmental organizations and universities.

The 15.10.2019 version, represents the final version of the document, agreed by the working group, considering also the arguments presented in the public debate. This version can be disseminated and communicated without constraints.

ARGUMENT
for a new version

Forest management is of special interest at international, European and national level, taking into account the multitude of ecosystem goods and services forests offer. Forests play a decisive role in meeting some global objectives of the 2030 Agenda for Sustainable Development adopted by the United Nations in 2015. Protecting, restoring and promoting the sustainable use of forests, as well as stopping the decline of biodiversity are already global objectives. However, forests have a vital role to play in mitigating climate change and its effects, but also in ensuring sustainable consumption and production patterns.

Romania's forest policy is based on a long tradition in establishing and implementing the principles of sustainable management of forestry resources, which is materialised in a functional forest zoning system which has long preceded modern sustainable management approaches in other European countries. This was the basis of a rigorous forestry regime, based on a sound scientific and technical foundation, designed to operate efficiently under the conditions of state ownership over all forests.

Over the past 30 years, Romania has gone through a period of transition towards a market economy with major institutional changes that have taken place in the forest sector through the restitution of forests and the privatisation of the forestry and industrialisation sector. At regulatory level, the rigid legislative system was maintained, based almost entirely on command and control instruments, not adapted to the socio-economic changes and to the new biodiversity conservation framework. This system did not have the expected efficiency, which is reflected in a clear social tension, involving all stakeholders interested in and affected by the management of forests: private owners, public and private forest administration, forestry/logging and industrialisation companies, environmental protection organisations, civil society, etc.

In the context of global climate change, forest management and forestry tools need constant and intelligent adaptation to environmental and social changes. Tomorrow's solutions can be different from those of the past, the responsibility of the forest manager being to find the right tools and methods according to the set of objectives and the site specific challenges. At the same time, the growing number of forest-related strategies creates a complex and fragmented policy environment that needs to integrate diverse and often conflicting objectives, resulting from the biodiversity conservation strategy, the bio-economy strategy or the rural development strategy. It is therefore necessary to create a forest policy vision ensuring a good governance approach based on transparency and consistency of forest legislation and enabling active synergies with other sectors that influence or are affected by forest management.

The lack of a national common vision for the sustainable management of the forests, implemented in a strategic and realistic manner, represents the main systemic risk for the Romanian forests.

A new set of principles for the management of Romanian forests is necessary because:

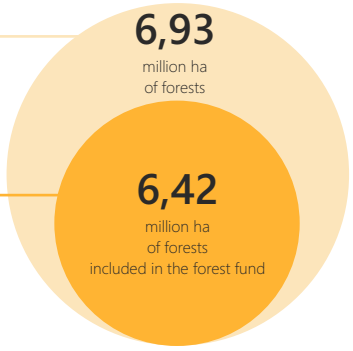
- significant societal and political changes over the last 30 years have influenced the way the society looks at forests and forestry not only at the national level but also at the EU level;
- the multifunctional potential of forests in Romania must be managed in a sustainable and balanced manner, so as to ensure the proper existence of all vital ecosystem services provided by forests, as well as the equitable distribution of the costs associated with such services;
- it is necessary to increase the resilience of forest ecosystems to biotic and abiotic threats aggravated by climate change and also to promote the key role of forests in mitigating climate change;
- tools are needed to address the opportunities and challenges arising from the increasing diversification of raw material demand supplied by forests, for both traditional products and new products, driven by the bio-economy strategy.

ROMANIAN FORESTS

Area occupied by Forests in Romania

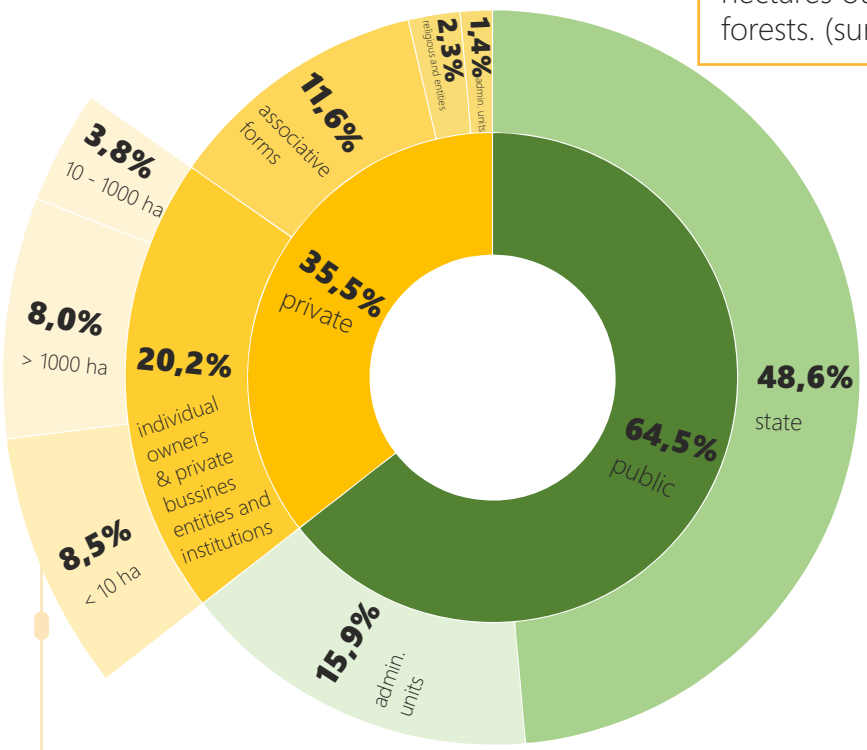
National Forest Inventory

Forests, as defined by the national forest inventory, are considered as lands with forest vegetation with a coverage index (canopy cover) of more than 10% and an area of more than 0.5 ha. Trees should reach a minimum height of 5 m at maturity under normal vegetation conditions (except for: junipers and alder, wooded land, logged areas, burned areas or wind-induced leaning - toppling, etc.), and the width of the forest vegetation should be of at least 20 m (sursa: www.roifn.ro)



Forest included in the Forest Fund

Law 46 of 2008 defines forests as having an area of at least 0.25 ha, covered with trees that should reach a minimum height of 5 m at maturity under normal vegetation conditions. Forests are also wooded pastures with a canopy cover of 0.4 or more, calculated only for the area actually occupied by forest vegetation, protective forest curtains and junipers. According to the national statistic institute, at the end of 2018 the National Forest Fund in Romania covered 6,58 million hectares out of which 6,418 million hectares are forests. (sursa: www.insse.ro)



Distribution of Forests in Romania by Types of Ownership

- On 31.12.2017, the area of the forest fund was of 3.37 million ha, representing 52% of the forest fund, of which:
  - **private property** of private persons and legal entities were 2.24 million ha;
  - **public property of administrative units** was 1.04 million ha;
  - **private property of administrative-territorial** units were 93 thousand ha.

The obvious change in the forest ownership patterns requires the adaptation and diversification of the forest policy instruments. The management of private forests and specifically the small scale private properties needs specific and ecologically adequate policy measures meant to support the economic viability of forest management. This is a measure to co-interest the owners in preserving their ownership and responsible use the resource

heritage, environment, resource

Romania, recognized as the green heart of Europe

- National forest ecosystems represent a biodiversity pool for the entire Europe, Romania being the only country in European Union (EU) that is integrated in five bio-geographical regions representing a high diversity of flora and fauna species.
- Biodiversity conservation is the main objective for more than 40% of the Romanian forests, which are integrated in the national network of protected areas. Specific conservation measures are proposed in the management plans of natural protected areas. Romania preserves also very significant areas of old-growth forests with primary structures, compared with other countries in the temperate climatic zone, and there is a legal requirement for their active identification and protection.
- The value of this natural heritage has to be recognized at the European level and the conservation measures to be supported also by means of financial instruments specifically addressing the ecosystem services related to biodiversity conservation.

A stable and healthy environment adapted to the risks induced by climatic changes

- Forests are a capital assured by the continuity of the ecosystem services provided to the society. Regulatory ecosystem services are the main objective for 13% of the EU forests while in Romania, the functional zoning attributes water and soil protection functions for more than 42% of the forests.
- The continuity of such functions is affected by the climate change related risks as well of the interest of private owners to obtain economic benefits from their forests. The provisioning of ecosystem services to the society needs to be consider in the same balanced way as the need of the owners to get financial benefits from the ecosystem services provided by their forests. The lack of financial support for compensating the forest owners for the restrictions imposed in forest management has significantly contributed to illegal practices, the selling of the properties and abandonment of management.
- The risks induced by climate changes require a constant adaptation of the forest management and of the practical measures as to direct the technical decision closer to the site specific conditions, thus allowing the practitioners to adapt more flexible their decision.

Forest, renewable resource generating multiple socio-economics benefits

- The economic viability of forest management is one of the key elements of sustainable forest management and it is an important pillar to support conservation measures and the provisioning of multiple ecosystem services for the society.
- The forest sector contributes to the socio-economic development of the Romanian rural communities and to the diversification of the local economies, supporting the superior use of forest products as a contribution to the communities wellbeing and to the preservation of cultural identities of local communities.
- In the same time, wood is considered an important resource for the emergent bio-industries.
- The social role of forests is important also from the perspective of assuring job opportunities, especially at the level of rural communities. In Europe it is estimated that more than 3 million people work in the forestry sector. In Romania, the jobs offered to the members of the rural communities by the forestry sector play a significant role in preventing workforce migration.

PURPOSE

of a Forest Policy Vision

The experience of recent years in public debate has shown that, besides an image crisis of the national forest sector, a deep intra- and inter-sectoral communication crisis is noticed, which has led many times to several decision-making bottlenecks, over-regulation and under-financing of the sector, or to a *sine die* postponement of the adoption of policy documents (e.g. the national forest strategy) or of the creation of specific intra- or inter-sectoral structures.

It is obvious that such situations have been, are and will be caused by the lack of an assumed and agreed vision, reflected in an incoherence of the forest policy, which is inevitable considering that the periods of institutional stability of the public authority in charge of forests has not exceeded an electoral cycle, and the mandates of the ministry state secretaries, starting 2007 have lasted in most of the cases for less than one year.

Considering this status quo that has caused moments of real institutional amnesia, this document aims to establish a platform for developing a forest management vision that would underlie a new public policy in the forest field, in accordance with the international strategic documents and with the current challenges in the national forest sector.

The proposed set of principles for substantiating the national forest policy has been formulated as an expression of a vision of sustainable management of the forest resources, that:

- ensures **a balanced integration** of the social, ecological and economic services provided by forests and their continuous provision;
- seeks **a social agreement** on the harmonization of rights, interests and obligations of stakeholders and of those affected by forest management;
- is **in line with the constitutional principles,** the principles formulated by the relevant directives and strategies of the European Union and with the other treaties and agreements to which Romania has adhered;
- enables **smart and appropriate adjustment** of regulatory, control and financial support instruments and good practice policies to the proposed goal.

The process of formulating a new vision and the results of this process is addressed to all the stakeholders involved in the development of the forestry sector and aims to gain a broad consensus of a large group of stakeholders, based on objective reasoning and expertise. The document provides a structured framework for dialogue regarding the directions to develop the national forest policy that may be use by the policymakers and governmental and non-governmental structures with an active role in initiating and supporting public policies in the forest field.

The implementation of the formulated principles requires the identification, through an efficient and constructive communication between all stakeholders, the specific directions of action that need to be integrated in a new legislative approach that would form a regulatory system that needs to be clear, easily monitored and effective in terms of practical results.

VISION

Romanian forests are managed through adequate political instruments adapted to the proposed goals that specifically and equitably respond to the social needs of preserving natural heritage values, continuously supplying vital environmental services, adapting the forests management practices to the climatic changes context and assuring a stable economic environment that will benefit society, forest owners, local communities and the national economy.

Sustainable forest management

(Helsinki resolution, MCPFE 1993)

The stewarsdhip and use of forests and forest lands in a way, and at a rate, that:

maintains their biodiversity

productivity, regeneration capacity, vitality

the potential to fulfil, now and in the future

relevant ecological, economic and social functions

at local, national and global levels

that does not cause damage to other ecosystems

Forest management principles

1. Rigorous substantiation and evaluation of forest management policies
2. Result obligation in applying forest management measures
3. Maintaining the integrity and stimulating the growth forest areas
4. Representativeness, ecologic connectivity and functionality in biodiversity conservation
5. Continuity of basic ecosystem services and just compensation of additional ecosystem services
6. Adapting the forest sector to the risks generated by climate change and to achieve a climatic neutral economy
7. Administrative efficiency
8. Ensuring the recreational value of forests and the development objectives of local communities

Good governance principles

I. Legislative coherence and accountability

II. Respecting the property and active responsability

III. Strategic approach and sectoral integration

IV. Transparency and stakeholders' participation

PRINCIPLES
of Sustainable Forest Management

1
Rigorous Substantiation and Evaluation of Forest Policies

1.1.

The implementation of the public policies and the constant evaluation of the results are based on rigorous indicators for monitoring the state of Romanian forests and the socio-ecological and economic impact of forest management.

1.1.1.

Setting the objective and indicators for sustainable forest management in agreement with the FOREST EUROPE process and substantiate them at the regional level.

1.1.2.

The assessment of the performance of forest policies implies defining indicators for monitoring the fulfillment of the forest management objectives (e.g. the status of forests, biodiversity, composition structure, productivity, regenerating manner and vitality), the socio-ecologic impact of forest management activities and the socio-economic performance of the forest sector.

1.1.3.

The public authority must ensure the financing and the development of instruments to evaluate the results of the implementation of forest policies (e.g. the development of the national forest inventory as a central monitoring instrument but not unique).

1.1.4.

The transparency of the evaluation process of the monitoring indicators is assured (methodology, results, data validation and evaluation). The results of the evaluation of the implementation of the public policies objectives are publicly available.

1.1.5.

The results of the assessment of the monitoring indicators are used to establish the current strategic directions, to identify the most effective policy tools for forest management and to stimulate innovation and applied research for finding technical solutions to the identified problems.

2
Result Obligation in Applying Forest Management Measures

2.1.

Management objectives are predominantly transposed into result obligations used to objectively evaluate the forest management performances. The techniques used (due diligence indicators) are important but not a priority.

2.1.1.

The state substantiates and regulates result indicators in order to track stand biodiversity, productivity, regeneration capacity and vitality and to monitor the economic, ecologic, and social impact of forest management activities.

2.1.2.

The results objectives are differentiated in relation to the scale and intensity of forest management operations and are identified wherever possible by measurable indicators.

2.1.3.

The forest management planning is the tool which establishes forest management objectives and the results obligations. The information presented in the management plans assesses the quality of the determinations (e.g. precision, errors etc.). For small scale properties the management objectives are defined at the stand level.

2.1.4.

The information on the management objectives at stand level are recorded in the Unique Register of Forest Property, a digital data platform to which the relevant decision makers and forest owners have access.

2.1.5.

Forestry harvesting rules define the result indicators determined in relation to the measures to reduce the negative social, environmental and silvicultural impact of the harvesting activity.

2.1.6.

The specialist's responsibility is to find the most adequate methods and tools in order to achieve the required results. This involves applying good practice guides as well as stimulating innovation and applied research.

PRINCIPLES
of Sustainable Forest Management

3
Maintaining the Integrity and Stimulating the Growth of Forest Areas

3.1.

The state guarantees the maintenance of the integrity of the forest areas included in the forest fund through clear regulatory instruments. At the same time, the state is creating financial support measures for integrating other land areas into the forest circuit.

3.1.1.

The forested area included in the forest fund cannot decrease.

3.1.2.

For areas covered by forest vegetation not included in the forest fund, the state establishes financial support instruments to attract landowners to implement silvicultural techniques to increase their carbon sequestration capacity and to provide vital ecosystem services.

3.1.3.

The state also ensures the growth of the areas covered by forests and other wooden lands with priority in the regions with low share of forests, through financial instruments for the forestation of degraded agricultural lands and the establishment of forest curtains. The aim of the afforestation program is to reduce the pressure on natural forests, to contribute to an improvement of the environmental conditions and to sequestrate carbon.

3.1.4.

The management goals for the forests resulting from afforestation of lands outside the forest fund are established by the owners within the limits of respecting general technical requirements.

4
Representativeness, Ecologic Connectivity and Functionality in Biodiversity Conservation

4.1.

Conservation of biodiversity is addressed primarily through the national network of natural protected areas, the national network of representative forest ecosystems and the technical substantiation of specific measures for biodiversity conservation at the stand level.

4.1.1.

Strengthen effective management of significant biodiversity concentrations at regional or local level, sheltered by the national system of natural protected areas in Romania based on the re-evaluation with a scientific fundament of the conservation objectives and measures and their integration with the planning instruments for forest management.

4.1.2.

Setting a network of Representative Forest Ecosystems having nature protection objectives, based on a sound scientific and technic assessment of representability and functionality criteria. This network integrates the National Catalogue of Virgin and Semi-Virgin forests which will be updated continuously.

4.1.3.

Conservation of forest ecosystems at landscape level by maintaining or restoring a mosaic of species, sizes and ages, in accordance with the regional characteristics and natural conditions.

4.1.4.

Conservation of forest genetic resources to ensure the adaptability of populations and species in a changing environment by maintaining an adequate level of genetic diversity.

4.1.5.

Adoption of management measures aimed to maintain the representative biodiversity elements at stand level (such as keeping trees for biodiversity, dead wood, species of community interest).

4.1.6.

Maintaining and conserving marginal habitats (wetlands, rocks, groves, riparian vegetation, salty soils etc.).

5

Continuity of Basic Ecosystem Services and Just Compensation of Additional Ecosystem Services

5.1.

Forest management involves the implementation of technical measures to ensure the continuous supply of basic ecosystem services, which should be mandatory regardless of the form of ownership and owned surface area.

5.1.1.

The state sets out mandatory criteria to be achieved for the provision of basic ecosystem services as well as clear indicators for their effective monitoring, depending on the scale and intensity of implementation of forest management operations.

5.1.2.

The criteria set out in the definition of basic ecosystem services take into account the continuity of the site potential, the continuity of the exercise of high conservation values, the continuity of wood harvests and sustainable levels for the use of non-wood forest products.

5.1.3.

The maximal sustainable level of wood production is established considering the management goals, growth indicators and the scale and intensity of forest management.

5.1.4.

The mandatory result criteria and monitoring indicators are transposed into legal provisions, and all forest owners have the responsibility to ensure they are fulfilled.

5.2.

In relation to functional zoning, the technical measures are set for the enhanced supply of specific ecosystem services; these measures are established through procedures and guides to good practice.

5.2.1.

In relation to functional zoning, the forest management measures will be differentiated by:

a) specific measures for the preservation of biodiversity elements and adopting the measures proposed by the management plans of protected areas;
b) measures specific to enhance the supply of regulating ecosystem services (protection of soil, waters, etc.);
c) measures required to increase the stability of stands to the action of biotic and abiotic factors and to adapt forests to climate change;
d) specific measures to increase carbon sequestration capacity;
e) specific measures for the provisioning of social and cultural services and for satisfying the needs of the local communities.

5.2.2.

The functional zoning is correlated with functional categories types and provide a clear differentiation of the technical measures required for obtaining the targeted ecosystem services.

5.2.3.

Procedures and guides to good practice setting out these measures are developed under the coordination of the public authority responsible for forests.

5.3.

The supply of ecosystem services to society is guaranteed to the same extent as the respect of owners' rights to get benefits for the ecosystem services provided by their forests.

5.3.1.

The supply of specific ecosystem services requiring restrictions above the level of the mandatory result criteria is achieved only by implementing a transparent and efficient compensation scheme.

5.3.2.

Legal entities and public institutions benefiting in economic forms from ecosystem services provided by forests pay the equivalent value of these services.

6
Adapting the Forest Sector to the Risks Generated by Climate Change and to Achieve a Climatic Neutral Economy

6.1.

Adapting the forest by innovative forestry or increase resilience to climate change.

6.1.1.

Adapting the forests to climate change is achieved through active and integrated management measures, where forests are not included in strictly protected areas.

6.1.2.

The increase resilience of forest ecosystem and of forest management activities to climate change requires a due diligence system meant to evaluate the risks and to prevent the negative impacts generated by the extreme natural events that produce disturbances (windstorms, forest fires, diseases, insects etc.) induced by climatic changes.

6.1.3.

Management measures primarily aim at preserving and restoring the natural forest type through natural regeneration or by using local sources. The forest typology is re-evaluated according to the evolution of site conditions as a result of climate changes and according to the current classification systems used at the national level for forest habitats.

6.1.4.

In production forests, technical measures aim at using the site potential to the maximum, thus contributing to carbon storage.

6.2.

The stewardship of the mechanism to account the carbon stored in the forests on the short term by 2030 and preparing the forest sector to contribute to a climate neutral economy by the mid-21st century, according to the EU and global commitments (UNFCCC).

6.2.1.

The forest authority implements a monitoring instrument with the purpose to administrate the balance of the quantities of greenhouse gases emitted and absorbed during the periods committed to reduce the emissions from forests and the use of wooden products (in correlations with other measures associated to the LULUCF sector - Land Use, Land-Use Change and Forestry).

6.2.2.

The implementation of a financial mechanism used to distribute the possible surplus resulting from the reduction of the emissions in forest management, the storage of carbon in long-life timber products and from converting lands to and from forests.

6.2.3.

Promoting the cascading use of timber by means of specific action plans, considering the need to increase the carbon stock in goods with long term uses and to reuse the wooden products while using best available technologies considering their ecological impact. Actions plans will follow with priority: the superior use of timber in long-life products, the selective recycling of wooden debris and furniture and the use of green public acquisition policies promoting certification of timber.

6.2.4.

In order to lower the pressure on natural forests, the state facilitates the achievement of intensive wood plantations outside the forest fund by setting clear criteria on the species to be used and on how to subsequently use these lands.

6.3.

Stimulating the reduction of greenhouse gas emissions from forest management by means of market instruments and financial support.

6.3.1.

Establishing market based instruments meant to monitor and sell carbon credits resulted from afforestation projects and / or creating fiscal facilities for economic agents for stimulating the reduction of emissions from afforestation projects on non-forest lands.

6.3.2.

The state supports the implementation of silvicultural measures that do not bring direct economic benefits to the owners, but are vital for increasing the stability of stands and the degree of carbon sequestration (e.g. for stands affected by natural or anthropic disturbances and pre-commercial stand tending in small scale forests).

7
Administrative Efficiency

7.1.

The state assures a simplified, efficient and competitive institutional framework for forest administration in order to stimulate forest owners and managers to implement activities improving the quality, productivity, vitality and the regeneration capacity of forests.

7.1.1.

The state develops simplified and efficient administrative procedures that minimise administrative costs and bureaucratic obstacles in order to support afforestation works, pre-commercial thinning and to promote natural regeneration.

7.1.2.

The state develops a specific strategy supported by a legal framework that would help and support the accessibility of forests by:

a) public and private investments in building forest roads to reach a density close to the need for sustainable forest management; and

b) the possibility of concession of existing roads by the owners/administrators serviced by these roads or public-private partnerships in order to ensure the investments necessary for the maintenance of the roads.

7.1.3.

The state develops tools to promote the use of wood harvesting technologies with low impact on the environment, considering the specific geo-morphological conditions of our country.

7.1.4.

The administrative burdens imposed by the state must be based on an evaluation of the costs arising from them and the effectiveness of their implementation.

7.1.5.

The supply of forestry services to owners is ensured via forest management units (forest districts), thus stimulating the competitiveness and the quality of the administrative act

7.2.

The state implements an efficient system of timber assessment, authorisation and timber transportation that reduces the systemic conflicts of interests and allows a transparent declaration and monitoring of all timber put on the market in order to pursue its legality, traceability and taxation.

7.2.1.

Regardless of the form of timber selling (standing timber or logs), the assessment and the declaration of the volume entering the market shall be done at the time of transport approval at the declared point of entry into the market, by a common measurement assumed by the administrator / owner and the buyer.

7.2.2.

The standing timber assessment document (APV) is intended as a supporting document, the volume entering the market being determined by measuring the harvested timber products at the declared point of approval, measurement which constitutes the key element in establishing the legal provenance of timber.

7.2.3.

Approved volumes are recorded in the traceability and transport monitoring IT system used to quantify the timber inputs in the market and to detect illegal transports.

7.2.4.

The logged volume control system should focus on the first placement of the wood products on the market and on the mechanisms for preventing illegal transports (the control should be focussed on the segment from the forest to the first log yard).

7.2.5.

The state implements simplified procedures for the evaluation, authorisation and transport of non-commercial wood material (non-EUTR material).

PRINCIPLES
of Sustainable Forest Management

8
Ensuring the Recreational Value of Forests and the Development Objectives of Local Communities

8.1.

The state provides the population with access to recreational and health-giving services provided by the forest, by establishing a set of access rules.

8.1.1.

Public access to the forest for leisure purposes is allowed according to the legal criteria and in compliance with the right of forest owners / administrators to set restrictions.

8.1.2.

Access to forest resources for commercial purposes is only allowed with the forest owner's consent.

8.1.3.

The level of harvesting and the gathering methods of non-timber products are set by pursuing a set of sustainability criteria determined in relation to best information available considering the type of products and the potential negative impact on protected species.

8.2.

The state supports the proper planning of urban forests having a social interest functions, to fulfill such functions.

8.2.1.

The state assures a proper legal framework that allows the implementation of projects for the planning of urban forests and the development of access infrastructures and facilities for nature tourism and forest education.

8.3.

The state develops a system for identifying the role of forests in covering the social needs of local communities and sets objective criteria for supplying them.

8.3.1.

The transparent and pro-active involvement of local communities in the process of forest management planning is promoted as good practice. Forest management aims to respect the rights of local communities, to reduce the negative impacts of forest operations and to take into considerations the socio-economic objectives of local communities.

8.3.2.

The socio-economic development of local communities is sustained by stimulating the superior use of wood products as to increase the value added at the local level.

8.3.3.

Forest policy promotes the access of local communities to the forest products provided by public forests considering clear, non-discriminatory and objective criteria.

PRINCIPLES
of Good Governance

Legislative Coherence and Accountability

A. Regulatory Role

I.1.

Create a simplified and efficient regulatory framework for forest management.

I.1.1.

The state prioritises the creation of a new regulatory framework for the forest sector, redefined in line with sustained management principles agreed through broad consensus with the stakeholders

I.1.2.

In order to increase institutional efficiency, the state creates an institutionalised dialogue platform based on relevant and professional representation, reducing the influence of the political factors and the effects of political instability in the creation of forest policy instruments.

I.1.3.

The professionalization and depoliticization of forest management requires a transparent recruitment process, based on performance criteria (result obligations) and on contractual agreements with clear objectives. The state assures stability of public functionaries and eliminates temporary delegation in public functions with the aim to reduce the influence of political factors in technical decisions and in the actions of the public authority responsible for the forest sector.

I.1.4.

Clear responsibilities are set for the key forest actors based on a set of technical and ethical criteria to evaluate the firms operating in the forest sector (forest management districts, harvesting companies, forest management planning and other services, transport and timber processing companies etc) and the conditions for temporary or total withdrawal of their authorisations.

I.4.

The state implements a network for monitoring, prevention and reaction to the risks induced by climate change.

I.4.1.

The state supports the implementation of a network for monitoring climate-change-related risks by establishing preventive and response measures that would also cover small forest properties (e.g. national fire prevention, biotic pathogens etc.).

B.Monitoring and Control Role

I.2.

Exercise control by defining the results based objectives and the measures for achieving the result obligations (technical measures recommended as good practices).

I.2.1.

The state regulates, through simple and clear legislative provisions, the mandatory result criteria to be met in forest management.

I.2.2.

Transparent control procedures are established following a risk-based approach and objective and transparent criteria prioritising controls as well as clearly reporting on the effectiveness of the control authority.

I.2.3.

The state regulates an efficient system of sanctions, adequate and dissuasive to promote the respect to the rule of laws.

I.2.4.

The state sets a code of ethical and professional conduct for the employees in the controlling institutions and establishes adequate performance indicators in exercising the controlling tasks.

I.3.

Ensure effective stakeholder participation in passive monitoring and control as a way to reduce the potential conflict of interests and to increase the institutional capacity, complementing the legislation which is primarily oriented on command and control instruments.

I.3.1.

Transparency of information on management objectives, approved timber volumes and market entry point is supported by instruments accessible to the general public, stimulating the capacity of passive control and real-time reporting of possible irregularities.

I.3.2.

The state implements a transparent system for reporting alerts generated by the wood traceability system to all decision factors (e.g. forest operators, administrator, forest guard, police etc.).

I.3.3.

The state provides public records on control registers in an online system.

The State performs the following roles in a transparent and efficient manner: a) regulatory role, b) monitoring and control role, c) institutional support role and d) forest owner role.

C. Institutional Support Role

I.5.
Development of the existing information platform in a multifunctional and integrated data platform defined as an Unique Register of Forest Property.

I.5.1.

The public authority ensures the implementation of a multifunctional data platform in which it records data on:

a) spatial delimitation of forest properties and ownership type;
b) inventory data/management planning data at owner and stand level;
c) management obligations legally established and identified through result indicators and proposed works;
d) obligations additionally imposed through management plans of the protected areas;
e) voluntary commitments given by accessing funding schemes;
f) declaration of market entry point and of the quantities of logged and marketed wood.

I.5.2.

The information has to be provided on the data platform in order to ensure the planning and the transparency of the management measures towards the decision-makers.

I.5.3.

The record of information on the data platform is a prerequisite for carrying out forestry works, accessing financial support, and placing timber on the market.

I.5.4.

For small-scale properties, the state financially supports a basic package to identify and record the necessary data in the Unique Register of Forest Property.

I.6.
Accessing European Funds.

I.6.1.

The state supports the accessing of European funds to ensure the financial support from all measures available at the European level (e.g., for the maximization of forestry-environmental services and to support the development on forest infrastructure).

I.6.2.

The state stimulates the co-financing of European projects aiming to implement the European policies and strategies at national level.

I.7.
Creating a fund to value ecosystem services provided by forests, based on the "Beneficiary pays" principle.

I.7.1.

The state institutes a functional mechanism allowing to value the management costs and the loss of benefits resulting from imposed restrictions, values that are compensated by the beneficiaries of the ecosystem services (the fund of ameliorating the land with forest destination).

I.7.2.

The fund is created based on transparent methodological criteria and clear methods to set the value of the payment, the way of collecting the payments from the beneficiaries of ecosystem services and the redistribution of these values to the providers.

D. State's role as owner

I.8.
The state, as a forest owner, applies a model of responsible and efficient management of owned forests.

I.8.1.

For state forests, the manager implements the good practice procedures established by the public authority to provide the ecosystem services requested by the society at maximum level.

I.8.2.

The state, as a forest owner, may benefit from a compensation from the forestry-environmental fund for the ecosystem services provided to direct beneficiaries, identified as private entities.

I.8.3.

The performance indicators for the management of state forests are determined through a participatory and transparent process, involving the stakeholders.

I.8.4.

The state, as a forest owner, assumes to make the administrative apparatus more efficient and professional and to ensure the transparency of costs and benefits related to the management of its forests.

I.8.5.

The state, as a forest owner, assumes a mediating role on the timber market competition, by maintaining the timber selling values at a competitive and sustainable price, for forest owners and for the timber industry. The state, having the mediating role, has to forecast and diminished the high fluctuations on the timber markets and will try to assure confidence and predictability for the wood processing industry.

II

Respecting the Property and Active Responsibility

II.1.

The establishment and implementation of forest policy instruments is done with respect for forest ownership rights.

II.1.1.

The state must pursue with priority the clarification of forest property and its stabilisation by laying down legislative provisions to stimulate the identification of legitimate owners and the spatial clarification of forest properties. It is necessary to have a specific strategy to support the registration, regularisation and updating of the forest land areas and the drawing up of the forest cadastre.

II.1.2.

The state ensures the possibility to implement a management adapted to private forest management in order to ensure the financial sustainability of forest management within the limit of ensuring the continuity of basic ecosystem services.

II.2.

The owner has full exercise of and liability for the rights and obligations related to the forest property.

II.2.1.

Forest owners are directly responsible for ensuring the continuity of basic ecosystem services required by the state.

II.2.2.

Non-compliances resulting from the application of mandatory criteria result in penalties on the owner and charges on the property; the owner may transfer certain obligations and responsibilities to forest managers or service providers.

II.2.3.

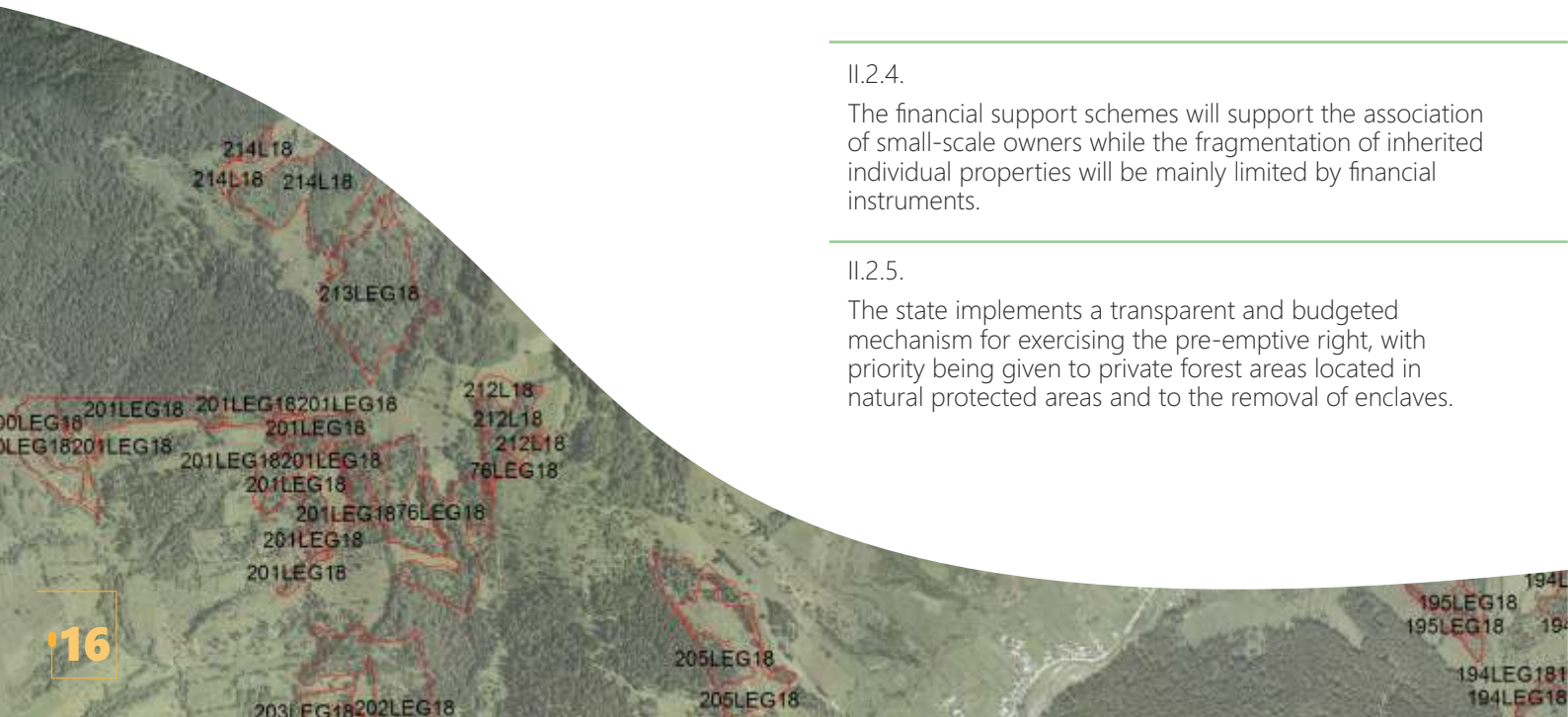
The society – via the state – must provide a fair compensation for any limitations imposed on the owner, in addition to the basic mandatory criteria, in an amount equivalent to the lost economic benefits deriving from its property and the additional management costs.

II.2.4.

The financial support schemes will support the association of small-scale owners while the fragmentation of inherited individual properties will be mainly limited by financial instruments.

II.2.5.

The state implements a transparent and budgeted mechanism for exercising the pre-emptive right, with priority being given to private forest areas located in natural protected areas and to the removal of enclaves.



PRINCIPLES
of Good Governance

III
Strategic Approach and Sectoral Integration

III.1.

The state pursues, at institutional level, the identification and harmonization of common strategic objectives from the sectoral policies adjacent to the forest sector, at the international, European and national level.

III.1.1.

The state pursues at institutional level, the integration of forestry policies with the adjacent sectoral policies assumed by treaties, directives at international and national level, as well as their transposition at the national level (e.g. integration with energy, agriculture, infrastructure, tourism and rural development, etc.)

III.1.2.

The state develops in a participative process, integrated solutions for reducing the pressure on forests, the superior use of forest resources, sustainability in the use of forest biomass for energy purposes, and an economic valuation of ecosystem services.

III.1.3

The state must find solutions to decrease the pressure on forest resources for assuring fire wood by stimulating the use of alternative energy sources with low environmental impact (solar, wind, geothermal etc.), especially in the isolated areas.

III.2.

The state stimulates innovation, applicative research, lifelong learning and forest education programs.

III.2.1.

Innovation, applicative research and continuous vocational training aim at a better adaptation of forest management methods to social and environmental challenges and increased competitiveness in the forest sector.

III.2.2.

Forest education programs inform the civil society on the role of forests and the regenerable resources provided by forests and promotes the use of wood from sustainable sources.

PRINCIPLES
of Good Governance

IV
Transparency and Stakeholders' Participation

IV.1.

The state ensures the implementation of a transparent system for public access to current information, with the possibility of using the information platform for generating various reports of public interest.

IV.1.1.

The state develops the current information platform into a Unique Register of Forest Property which presents publicly available updated information regarding:

a) the status and evolution of Romanian forests;

b) the use of interconnected GIS databases for the location of strictly protected forests, natural protected area forests, the network of representative ecosystems and restrictive measures imposed in these areas;

c) the status of the forest properties and of the proposed management measures;

d) the status of the wood products input in the market;

e) the situation of the implementation of the financing programs;

f) the system of public records of control registers.

IV.1.2.

The Unique Register of Forest Property is integrated with the European forest informational system.

IV.2.

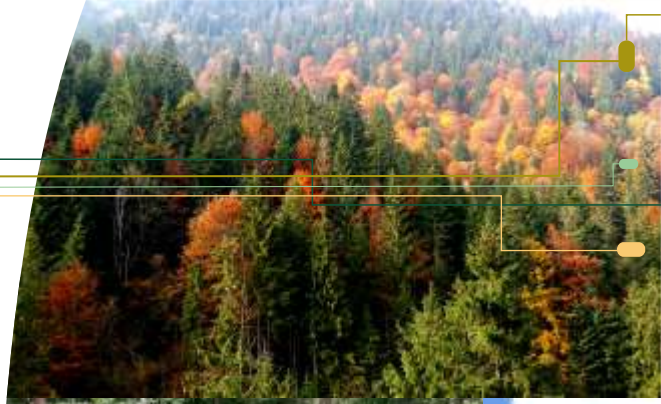
The state facilitates a participatory process both in the establishment of forest policy instruments as well as in the planning of management objectives and in evaluating the results of forest policies.

IV.2.1.

The state ensures a transparent and proactive involvement of the stakeholders in the planning and decision-making process on forest policies and in the planning of forest management activities.

IV.2.2.

The state implements a procedure for consulting stakeholders interested in forest managing and in the periodic evaluation of forest policies by biannual online and public consultations.






Specific glossary

Forests administration

Integrates all activities with technical, economical and legal features exercised by public and private forest authorities in order to implement the forestry laws and the forest regime (Law 46, 2008).

Sustainable Forest Management

The stewardship and use of forests and forest lands in a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfill, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems (The Ministerial Conference on the Protection of Forests in Europe, Helsinki, 1993).

Governance

Good governance is a concept describing the quality of governance process based on the transparency, accountability, public participation, coherence, efficiency, stability etc.

Forest policy instruments

Represent the link between the forest policy objectives and their transposition into practice:

- **The command and control intruments** are based on the role of the state authority to regulate, implement and verify.
- **Economic instruments** such as subsidies and taxes, act by encouraging or discoutaging certain behaviors.
- **Voluntary market instruments** include private sector and civil society initiatives to empower producers and consumers.
- **Information and education instruments** aim to solve the problems that arrise due to lack of information or disorted information and the lack of ability for using it.

Forest management

The processes of planning and implementing practices for the stewardship and use of forests and other wooded land aimed at achieving specific environmental, economic, social and /or cultural objectives. Includes management at all scales such as normative, strategic, tactical and operational level management (FAO- FRA, 2005).

Obligation of results and obligation of means

The obligations of results are those obligations for which duties are strictly specified in terms of the object and purpose pursued. The obligations of means (also known as obligations of dilligence and prudence) are those obligations which consists in the duty to make every effort to achieve certain result, without forcing itself the expected result.

Forest policy

Is defined as a public policy in which the state, through central public authority responsible for forestry, elaborates policies for national forestry and forest vegetation not included in the forest fund, regardless of the property type, and exercies the control over their management (Law 46, 2008).

Ecosystem services

Considered as a stream of resources and services provided by the forest, from which people can benefit either directly or indirectly. They are divided in:

- **Provisioning services:** are those goods provided by the ecosystems, such as wood products, non-wood forest products etc.;
- **Regulating services:** are those natural processes of an ecosystem, that are represented by the functions exercised by the forests in carbon sequestration, erosion protection, water protection etc.;
- **Cultural services:** are those non-materiale benefits provided by forest ecosystems with heritage value, aesthetic value, belonging to local traditions etc.