

Stakeholder	Country	CW Category	Indicator	Comment	Source of information
WWF DCP RO	RO	1. Illegally harvested wood	1.1 Land tenure and management rights	<p>Romania is a state subject to the rule of law. Any dispute concerning the right to property is resolved only by the court. In Romania, only the courts of law may decide on property rights (i.e. litigations) and until such a decision the property right belongs to its rightful owner. The court activity is independent and functional, offering clear solutions within the time limit allowed by law. Management activities can be suspended /interrupted also by President Ruling issued by the courts of law for a determined period or until the solution of the litigation. There are no current cases in which the forest owner or manager has not complied with a court decision where applicable. And if such nonconformities occur, they are immediately regulated by state institutions.</p> <p>The forest management plans (unitary at national level) are developed based on the property documents of the owner, being included/ appended in chapter 11 of the forest management plan and being mandatory (technical norms 5). During the 1st conference of forest management planning all property documents are verified. In table 1E of the forest management plan all inputs/outputs of surfaces are listed.</p> <p>The companies executing the forest management planning are companies authorized by the authority based on MO no. 460 dated the 1st of April 2010. Depending on the number of employees (forest engineers and technical equipment - GPS, total station, etc.) the certificate for a certain surface is granted for a period of 4 years. The authority centralizes the surfaces planned for each authorized company in a special registry (according to art.12 of MO 460/2010). The certificates can be suspended or retracted by the authority- art. 28 and 29 of MO no. 460/2010. Also, the project managers for forest management works and the CTAP specialists are certified according to MO no. 1039 dated the 1st of July 2010 – examination organized by the authority.</p> <p>Concerning the private individuals owners, due to the fact that the restitution process lasts for more than two decades, many of the owners included in the property titles are dead and descendants did not follow the legal formalities for succession yet. A specified risk is identified regarding the succession forms only for private individuals that had not made the succession procedure, in order to obtain the inheritance certificate (i.e. the successors have the right for inheritance, but is not the legal owner until the inheritance certificate is obtained) or another legal document certifying the right to property.</p> <p>Description of risk: In practice, some forest administrations are satisfied with the presentation of an affidavit from one successors (in cases of multiple ones), requesting the forest administration /services assuming on same time full responsibility in the name of legal heirs. Thus, a certain successors my benefit of the wood products in possible detriment of others potential legal successors of the same inheritance. This fact my lead to Civil Code violation.</p> <p>Risk conclusion: Low risk Specified risk - only for areas owned by private individuals Recommended control measures: • Access to information / requirement of additional documents which proves the legal property rights (e.g. the inheritance certificate, property title, sale contract etc); • Maps on shared surfaces;</p>	<p>(1)Government Decision no. 483/2006 http://legislatie.just.ro/Public/DetaliuDocument/70984</p> <p>(2)Civil Code, art. 956 http://legea2.nednoul-cod-civil/art-956-actele-juridice-asupra-mostenirii-nedeschise-dipozitie-generale http://apadurii.gov.ro/wp-content/uploads/2014/08/OM-460-din-2010-atestare-amenajamente.pdf http://www.legex.ro/Ordin-1039-2010-106949.aspx</p> <p>http://apadurii.gov.ro/wp-content/uploads/2014/08/OM-460-din-2010-atestare-amenajamente.pdf http://www.legex.ro/Ordin-1039-2010-106949.aspx</p>
			1.2 Concession licenses	In Romania, concession of forest resources is not a practice. Risk conclusion: N/A	
			1.4 Harvesting permits	<p>(1)Forest Code (Law 46/2008), art. 20, line 10: the harvesting permit is issued according to the FMP approved by ministerial order and becomes the applicable legislation. As an exception, accidental cuts are not provided in the FMP, but their authorization is strictly regulated (see indicator details provided also for 1.3, the regulatory and participatory process described there).</p> <p>According to (2)Decision no. 470/2014 (art. 2, line 7) and (3)Decision no. 1004/2016 (art. 5, line 2, letter L) approving the norms regarding the origin, movement and marketing of timber, the regime of timber storage facilities and processing plants of round wood, and implementing (EU) Timber Regulation (No. 995/2010) measures, the authorization of VED's and harvesting permits is an automated, centralized and transparent online system (SUMAL) that eliminates subjectivity of human factor.</p> <p>For more transparency, the (4)Decision no. 617/2016 (art. 9, line 2, letter c),for approval of timber capitalization from the Forest Fund in public property, stipulates that every harvesting site and primary platform is identified by at least one point described with geographical coordinates.</p> <p>VED is the legal document attesting the source and the volume of the wood mass - the forestry code. The harvesting is made based on this document - technical norms, GD 470/2014, and the volume is estimated (the methodology, the tolerance and statistical coverage is detailed in the Forestry Norms 4). Being an estimations of the standing volume, there might be situations when the marked trees summarize more than the total VED volume - therefore according to national legislation (Ministerial Order 837 /2014 and Ministerial Order 2121 /2016) the volume exceeding the VED has to be prior declare to the forest administration, measured and registered by the forest administration in SUMAL and finally paid in advance before having the access for transportation (receive the "credits" volumes in SUMAL).</p> <p>According to legislation framework and current practices all VED are check by another party than the one who develop it (i.e. could be another superior from the Forest Administration or directly by the Forest Guard depend on the type of harvesting). Furthermore before the public auctions the companies has legal access to all necessary information to check the accuracy of the VED. Therefore we consider that imposing a supplementary check of the VED is not a necessary or relevant measure.</p> <p>It has been stated that in Romania 8.8 million cubic metres of illegal timber are harvested per year. This number was a result of the NFI (National Forest Inventory) evaluations and reports. This does not represent the total amount of illegal wood that is confiscated but the difference between the missing timber volume reported by the inventories and the volume introduced in the economic circuit (the legally exploited timber). According to national forest inventories in other countries there are also such important differences but no country has concluded that this difference in volume represents the volume of illegally harvested timber (e.g. Czech Republic this difference is about 6 million cubic meters, while in Germany 13 million cubic meters).</p> <p>This number is an average for the 2008-2014 period of time, before the paradigm shift (see link 5, "Forests", from page 11) in the control system: Wood Tracking system, Forest National Guard, Forestry Code, considering illegal timber harvesting as a threat to national security, Forest Inspector, Wood selling regulation which created a transparent process for timber procurement etc.</p>	<p>(1)Forest Code (Law 46/2008) http://legea5.ro/Gratuit/legatambuha/codul-silvic-din-2008</p> <p>(2)Decision no. 470/2014 http://legea5.ro/Gratuit/legatambwgi/hotararea-nr-470-2014-pentru-approbarea-normelor-referitoare-la-provenienta-circulatiei-si-comercializarea-materialelor-lemnose-la-regimul-spaltilor-de-depozitare-a-materialelor-lemnose-si-al-instalatiilor-de-prelucrat-lemn-rotund-precum-si&d=2017-04-03</p> <p>(3) Decision no. 1004/2016 http://legea5.ro/Gratuit/legatobogaza/norme-referitoare-la-provenienta-circulatiei-si-comercializarea-materialelor-lemnose-la-regimul-spaltilor-de-depozitare-a-materialelor-lemnose-si-al-instalatiilor-de-prelucrat-lemn-rotund-precum-si&d=2017-04-03</p> <p>(4)Decision no. 617/2016 http://legea5.ro/Gratuit/legadomizezo/hotararea-nr-617-2016-pentru-approbarea-regulamentului-de-valorificare-a-masei-lemnose-din-Fondul-forestier-proprietate-publica</p> <p>(4)Regulations for approval of timber capitalization from the Forest Fund in public property, [art. 9, line 2, letter c] http://legea5.ro/Gratuit/legadomizezo/regulamentul-de-valorificare-a-masei-lemnose-din-fondul-forestier-proprietate-publica-din-31082016&d=2017-03-27</p> <p>(5)http://www.mmediu.ro/app/webroot/uploads/files/2017-01-04_Raport_de_bilant_pentru_Romania_Verde11.pdf</p>
			1.5 Payment of royalties and harvesting fees	<p>The (1)Decision no. 617/2016 ensures the transparency of the auction process of timber capitalization and the payment of harvesting fees: • The managers of public forest fund are obliged to publicly advertise timber auctions/negotiations (for all the lots included in the Lots Catalog) on www.rosilva.ro, in cases of RNP –Romsilva FMU's, or www.ocoalederegim.ro for FME's. (art. 9, 10) • In order to participate at the timber auction, the economic operators must prove that they are not in debt relating to forest managers (art. 21, line 5, letter c) • Regulation also requires advance payment for the wood (as precaution approach); In cases of private owners, where Decision 617/2016 is not mandatory, the rules are those described in the contract (agreement between the parties). The forest manager may withdraw the harvesting permit according to the terms in the contract. Romania is a state subject to the rule of law and in cases of disputes; these are resolved only in the court.</p> <p>Description of risk: According to the (2)Law no. 227/2015- Fiscal Code, art. 486, line 2, can be set by Local Councils or Forest Administrators a</p>	<p>(1)Decision no. 1004/2016 http://legea5.ro/Gratuit/legatobogaza/norme-referitoare-la-provenienta-circulatiei-si-comercializarea-materialelor-lemnose-la-regimul-spaltilor-de-depozitare-a-materialelor-lemnose-si-al-instalatiilor-de-prelucrat-lemn-rotund-precum-si&d=2017-04-03</p> <p>(1) Regulations for approval of timber capitalization from the Forest Fund in public property http://legea5.ro/Gratuit/legadomizezo/regulamentul-de-valorificare-a-masei-lemnose-din-fondul-forestier-proprietate-publica-din-31082016&d=2017-03-27</p> <p>(2)Law 171/2010 http://legea5.ro/Gratuit/legatmmirhe/legea-nr-171-2010-privind-stabilirea-si-sanctionarea-contraventiilor-silvice/3 Emergency Ordinance no. (3151/2016 http://legea5.ro/Gratuit/legadomizezo/ordonanta-de-urgenta-nr-51-2016-pentru-modificarea-si-completarea-legii-nr-171-2010-privind-stabilirea-si-sanctionarea-contraventiilor-silvice</p>
			1.8 Timber harvesting regulations	<p>All the non-conformities regarding timber harvesting regulations are summed in the electronic register of forestry contraventions - SUMAL -Contraventi (The Integrated Information System for Timber Tracking-Contraventions), according to (1)Decision no. 1004/2016, art. 5, line 7 . Here are registered all the records about the forestry contraventions and crimes, including the method of settlement.</p> <p>All the non-conformities regarding timber harvesting regulations are severely punished by the (2)Law 171/2010, on establishing and sanctioning forestry contraventions, amended and supplemented by Emergency Ordinance no. (3151/2016. In order to follow the method of settlement of forestry contraventions by the reporting agents, the central public authority responsible for forestry ensures the implementation and functionality of the National Registry for Forestry Contraventions, called SNEICS, within SUMAL, according to (2)art. 43, line 1.</p> <p>Even though the control process of timber harvesting regulations is systematically supervised, still nonconformities are quite often due to the poor forest infrastructure and the operators' capacity.</p> <p>Risk conclusion: Specified risk</p> <p>Recommended control measures: Compliance program only for operators that accumulates 14 penalty points, in a period of six months corresponding to an</p>	<p>(1)Decision no. 1004/2016 http://legea5.ro/Gratuit/legatobogaza/norme-referitoare-la-provenienta-circulatiei-si-comercializarea-materialelor-lemnose-la-regimul-spaltilor-de-depozitare-a-materialelor-lemnose-si-al-instalatiilor-de-prelucrat-lemn-rotund-precum-si&d=2017-04-03</p> <p>(2)Law 171/2010 http://legea5.ro/Gratuit/legatmmirhe/legea-nr-171-2010-privind-stabilirea-si-sanctionarea-contraventiilor-silvice/3 Emergency Ordinance no. (3151/2016 http://legea5.ro/Gratuit/legadomizezo/ordonanta-de-urgenta-nr-51-2016-pentru-modificarea-si-completarea-legii-nr-171-2010-privind-stabilirea-si-sanctionarea-contraventiilor-silvice</p>
			1.9 Protected sites and species	<p>According to national legislation, specific restrictions to protect certain species or habitats are imposed only in the Protected Areas (PA).</p> <p>According to (2)Decision no. 1076/2004, regarding the procedure for carrying out environmental assessment of plans and programs, the FMP is subject of the Environmental approval procedure, in a transparent and participatory way (see also</p>	

	<p>description for 1.3)</p> <p>All harvesting companies can function only if they have a valid environmental authorization attached to the harvesting permit.</p> <p>Not all FMP's are harmonized with the protected areas (PA) management plans and not all PA's management plans are developed and approved.</p> <p>Risk conclusion: Low risk – considering the (i) national applicable legislation provisions and (ii) the Environmental approval procedure. Specified risk – only for Protected Area</p> <p>Recommended control measures:</p> <ul style="list-style-type: none"> • Presentation of environmental authorization • Presentation of environmental approval (for every harvesting site) • Starting the harvesting process after obtaining the environmental approval/authorization • Additional field verifications that addresses compliance with the measures imposed by environmental approval/authorization. At the moment, compliance with these measures are not systematically checked 	
1.10 Environmental requirements	<p>Risk conclusion: Specified risk</p> <p>Recommended control measures:</p> <ul style="list-style-type: none"> • Presentation of environmental authorization • Presentation of environmental approval (for every harvesting site) • Physical control should verify that the present material is corresponding to invoiced and delivering notes; • Non concordant material shall be separated and will not be purchased; • Additional field verifications that addresses compliance with the measures imposed by environmental approval/authorization. At the moment, compliance with these measures are not systematically checked 	
1.16 Classification of species, quantities and qualities	<p>Risk conclusion: Specified risk</p> <p>Recommended control measures:</p> <ul style="list-style-type: none"> • Checking the legality and delivering notes using wood tracking and SUMAL • Physical control should verify that the present material is corresponding to invoiced and delivering notes; • Non concordant material (if occurs), shall be segregate and the territorial Forestry Guard informed; • Adequate trainings for workers on: legislation provision, sorting criteria and techniques, IT & SUMAL software; • Cross checks between delivery notes and entry registries (for monitoring); <p>Note! Cross-verify volume of assortments from the VED and delivery documents is irrelevant from our perspective since: (i) according to applicable legislation (forestry norms 4), VED is an estimation considering both: quality and quantity, therefore</p>	
1.17 Trade and transport	<p>Risk conclusion: Specified risk</p> <p>Recommended control measures:</p> <ul style="list-style-type: none"> • Checking the legality and delivering notes using wood tracking and SUMAL • Physical control should verify that the present material is corresponding to invoiced and delivering notes; • Extra tolerance volumes, shall be separated and the territorial Forestry Guard informed; • Adequate trainings for workers on: legislation provision, measurement methodologies, IT & SUMAL software; • Cross checks between delivery notes and entry registries; (for monitoring) 	
1.21 Legislation requiring due diligence/ due care procedures	<p>Info-brief regarding EUTR enforcement in Romania (reference provided only for "domestic wood") (implementation status (selected information only for national wood origin):</p> <ul style="list-style-type: none"> • The competent authority designated is the Ministry of Environment, Water and Forests. According to the Governmental Decision (HG) n°688/2012, within the ministry there are two responsible bodies for EUTR implementation: (i) The Control Directorate and Forest Guard - entitled to exercises the control of operators and traders for the following timber products codes: 4401, 4403, 4406 and 4407; • The EUTR implementation is regulated by: (i) Governmental Decisions that are establishing the responsibilities of the CA and the penalties regime: HG n°470/2014 - HG n°787/2014, OUG 51/2016 and HG n°170/2015; (ii) Ministerial decision (OM) n°819/2015 for establishing the rules, procedures and methodologies for checking operators, traders and for organisations monitoring; • Resources: about 700 commissioners working for the "Forest Guard" are delegated with direct responsibilities on EUTR implementation and enforcement; • Penalty Regime • Placing on the market of illegally harvested timber is sanctioned with 15.000-20.000 RON, confiscate wood and vehicles involved; • Administrative fines apply to operators who do not implement and/or use a due diligence system (DDS) or refuse to cooperate with the CA. The fines range from 8,000 to 15,000 lei. Documents needed for trading can be suspended for up to 12 months in this case. A grace-period of 45 days applies to operators when first checked; • Administrative fines also apply to operators who do not properly use a DDS (including not maintaining and regularly evaluating a DDS) and range from 5,000 to 8,000 lei. Documents needed to trade can be suspended for up to 90 days in case of repeat offence; • Criminal fines, much stricter than the fines for breaches of the EUTR, exist for illegal logging in domestic forests under Romanian forestry and environmental law and penalties include imprisonment up to 7 years in aggravated cases. • Administrative fines also apply to monitoring organizations that are not fulfilling their obligation according to article 8, align (1) of the Regulation and a range from 8,000 to 15,000 lei; <p>Checks by the competent authority</p> <ul style="list-style-type: none"> • A systematic control has started from December 2015; • So far thousands of checks were carried; <p>Key implementation & enforcement strengths</p> <ul style="list-style-type: none"> • Romanian is no longer in the pre-infringement procedure; • The CA is developing, maintaining and updating an informative platform for operators and traders in order to facilitate compliance (e.g. EUTR implementation guideline, Q&A, etc.); • Clear and transparent control procedures for operators, traders and monitoring organizations (including comprehensive check lists); • Controls are conducted according to a plan, prioritizing checks by following a risk based approach. The following criteria applies: (i) alerts provided by the Wood tracking system - SUMAL; (ii) share of wood sourced from countries or regions considered at risk regarding illegal logging (for Romania, CA develop and published a Map of illegal logging risk areas at national level – under current legislation the map should be updated annually based on consultation of key relevant stakeholders); (iii) amount of timber and timber products placed on the market; (iv) complexity of the supply chain and timber products; (v) whether the operator makes use of a due diligence system established by a monitoring organisation; (vi) substantiated concerns if applicable. • The CA has a legal obligation to respond in maximum 45 days to substantiated concerns, in circumstances when controls are done without prior notice; • Monitoring organizations have legal access to SUMAL (official wood tracking system) for monitoring their operators; 	

		<p>... monitoring of government's more regular access to official information... • The "wood tracking system" enables the engagement of the general public in the mitigation procedures for combating the illegal logging and trade at a national level. • Wood tracking system & SUMAL. Regulated by the Governmental Decision (HG) n°470/08.10.2014, "Wood tracking" (also known as the "Woods radar") is an online system design to follow the traceability of timber starting from the forest up to its placing on the market and along the chain of custody in the wood processing sector. The system is designed to better contribute for preventing and reducing the illegal logging practices and supporting also forest "operators" in meeting the EUTR requirements. Being called also as "the wood's radar" the system is connected with the emergency services, so that the civil society can engage and check if the timber shipments have legal forms, by calling the emergency telephone number (112). If not, the transport shall be stopped in traffic by the police authorities; Risk conclusion: Low risk</p>	
<p>3. Wood from forests where high conservation values are threatened by management activities</p>	<p>3.1 HCV 1 /HCV 1.1</p>	<p>HCV 1.1 - Forest areas included in protected areas, are defined as forest areas included in scientific reserves, nature reserves, and areas declared nature monuments, fully-protected areas or strict nature reserves within the natural areas protected in compliance with the environmental legislation in force.</p> <p>HCV 1.1 - Forests providing shelter for high concentrations of species during critical periods/ stages of their lifetime.</p> <p>Forest Management Plans (FMP) are always reflecting such strict protected area being also clearly located. In some of these strict protected areas harvesting activities are allowed only in special conditions and only with special approvals from scientifically commission and finally adopted by the competent authorities. There are not examples where these conditions are not legally accomplished. Risk conclusion for HCV 1.1: Low risk</p>	<p>HCV National Guideline: http://www.lemcontrol.ro/wp-content/uploads/2014/02/HCV-Toolkit_WWF-DCP-Romania_2012-2013.pdf</p> <p>National Standard: http://standarnational.ro/wp-content/uploads/2015/07/The-FSC-National-Forest-Stewardship-Standard-of-Romania.pdf</p>
	<p>3.1 HCV 1 /HCV 1.2</p>	<p>HCV 1.2 - Forests which are habitats for rare, threatened and endangered plant species.</p> <p>The national protected area network ensures the basis for implementing the biodiversity conservation policies that exist at national and global level.</p> <p>According to the threshold definition, the viable population of the species shall be located within a site designated on scientific criteria and recognized as having nationally or regionally significant concentrations: protected areas of community interest, protected areas of national interest (i.e. Protected Area).</p> <p>According to (2)Decision no. 1076/2004, regarding the procedure for carrying out environmental assessment of plans and programs, the FMP is subject of the Environmental approval procedure, in a transparent and participatory way (see also description for 1.3 and 1.9)</p> <p>All harvesting companies can function only if they have a valid environmental authorization attached to the harvesting permit.</p> <p>Description of risk: Viable population of RTE plant species shall be reflected by PA Management Plans. Still, not all FMP's are harmonized with the protected areas (PA) management plans and not all PA's management plans are developed and approved. If environmental authorities are including certain additional measure in the environmental authorization /approval, the compliance with these measures are not always systematically checked.</p>	
	<p>3.1 HCV 1 /HCV 1.3</p>	<p>HCV 1.3 - Forests providing shelter for high concentrations of species during critical periods/ stages of their lifetime.</p> <p>The national protected area network ensures the basis for implementing the biodiversity conservation policies that exist at national and global level.</p> <p>According to the threshold definition, the concentration area should be located within a site designated according to scientific criteria and recognized as being a shelter for significant concentrations at national or regional level: protected areas of community interest, protected areas of national interest (i.e. Protected Area).</p> <p>According to (2)Decision no. 1076/2004, regarding the procedure for carrying out environmental assessment of plans and programs, the FMP is subject of the Environmental approval procedure, in a transparent and participatory way (see also description for 1.3 and 1.9)</p> <p>All harvesting companies can function only if they have a valid environmental authorization attached to the harvesting permit.</p> <p>Description of risk: Critical concentrations for the targeted species (included in the definition), shall be reflected by PA Management Plans. Still, not all FMP's are harmonized with the protected areas (PA) management plans and not all PA's management plans are developed and approved. If environmental authorities are including certain additional measure in the environmental authorization /approval, the compliance with these measures are not always systematically checked.</p> <p>Risk conclusion for HCV 1.3: Low risk – outside Protected Area network; Specified risk – only for within Protected Area (i.e. where the value might exist according to the national definition); Recommended control measures: • Presentation of a valid environmental authorization; • Presentation of a valid environmental approval (for every harvesting site); • Starting the harvesting process after obtaining the environmental approval/authorization;</p>	
	<p>3.2 HCV 2</p>	<p>HCV 2 - Extended forest landscapes, significant at a global, regional or national level, which maintain the features (i.e. structures, compositions, processes) of natural ecosystems, including viable populations of native species in their natural form in terms of distribution and density.</p> <p>According to the last draft of the National STD and HCV Guideline, the identification and designation of HCV 2 have to be carried out at national level by involving authorities and/or organizations along with local interested stakeholders.</p> <p>IFL – Intact Forest Landscape for Romania is no longer considered as valid. This is publically recognized by the stakeholders who initially declared it (Green Peace, Agent Green, IFL).</p> <p>So far there is no such forest landscapes identified; therefore the HCV 2 value is uncertain.</p> <p>Risk conclusion for HCV 2: Low risk</p>	
	<p>3.3 HCV 3</p>	<p>HCV 3 - Forest areas within or with rare, threatened and endangered ecosystems (i.e. they are either located in rare, threatened and endangered ecosystems or include rare, threatened and endangered ecosystems).</p> <p>The national protected area network ensures the basis for implementing the biodiversity conservation policies that exist at national and global level.</p> <p>According to (2)Decision no. 1076/2004, regarding the procedure for carrying out environmental assessment of plans and programs, the FMP is subject of the Environmental approval procedure, in a transparent and participatory way (see also description for 1.3 and 1.9)</p> <p>All harvesting companies can function only if they have a valid environmental authorization attached to the harvesting permit.</p> <p>RTE forest ecosystems are preserved by the national legislation (Forestry Norms 5) and FMP. Relevant functional categories which ensure the ecosystem protection are: (a) TI Functional types - Forests with nature protection functions, in which by law, any kind of timber or other products harvesting is forbidden: 1-Sj which represent the virgine forests with special value, as well as parts of the forest with rare forest species (European yew, Swiss pine, Sweet chestnut, Turkish hazel, iliac, etc.); 1-SO which represent Old Growth Forests; (b) TI Functional types - Forests with protection functions, located in areas with difficult ecological conditions, as well as forest stands in which the timber exploitation is not allowed except only for special conservation cuttings): 1-1J Juniper areas from the alpine zones; 1-2C Forests around alpine areas; 1-2f Forests on marshy terrains; 1-3B Forests near the Black Sea and the coastal/marine lakes; 1-3C Oak forests from lowland areas, under conservation management; 1-3F High-altitude forests, in harsh conditions for regeneration; 1-3K Forest edges in lowland areas; Concerning Virgin and Old Growth Forest (that are meeting the identification criteria specified in the Ministerial Order 3397/2012), the ministerial order 1417/2016 and 2525/2016 are creating the basis for ensuring their protection in the National Catalogue of Virgine and Quasivirgine Forests in Romania. Ministerial Order no. 2525 /2016 is establishing also the methodology for their identification and protection procedure. Therefore is created a prevention mechanism (i.e. moratorium) for ensuring the OGF protection following a precaution approach. - For the potential OGF included in the PINMATRA Study – most of the forestry operations are forbidden without a special approval from the regional Forestry Guard who shall confirm (following a field assessment) if the forests are still meeting the OGF definition criteria. For more information on the identification, protection and designation of OGF, please refer to the</p>	<p>http://legee.ro/Gratuit/legedoc/ordinul-nr-2525-2016-privind-constituirea-catalogului-national-al-pajurilor-virgine-si-cvasivirgine-din-romania</p>

the OGF identification criteria. For some forestry operations like, afforestation, thinning and cleaning (where is clear that the criteria are not anymore fulfilled) there is not required the special approval from the Forest Guard;
 - If a new OGF are identified and the legal procedure to ensure their protection is launched – it applies a similar prevention measure like the ones included in PINMATRA.

Prevention measures are applied in most of the situations by the forest administrators and forest guard. OGF protection mechanism demonstrate its functionality, already about 13.000 ha are already included and another 33.000 are under ongoing procedure to be included in the National Virgin Forest Catalogue (where their protection is ensure on a long run).

http://www.mmmediu.ro/app/webroot/uploads/files/2016-12-07_Prezentare_Catalog_Paduri_virginie%281%29.pdf

Description of risk:
 RTE forest ecosystems shall be reflected by PA Management Plans. Still, not all FMP's are harmonized with the protected areas (PA) management plans and not all PA's management plans are developed and approved.
 If environmental authorities are including certain additional measure in the environmental authorization /approval, the compliance with these measures are not always systematically checked.
 Concerning the OGF protection, there are still situations where there is a lack of capacity in applying the prevention measure imposed by MO 2525 /2016 (still not new evidence for this year after entering into force of MO 2525 /2016). Yet, there are no specific sanctions if some of the preventions measures are not applied by authorities or forest administrators.

Risk conclusion for HCV 3:
 Specified risk

Recommended control measures:

For Old Growth Forest:

- Check if they are officially registered as potential OGF (e.g. PINMATRA Study);
- If they are included in such Studies, harvesting is allowed only if the VED is specifically approved by Forest Guard (certifying that the forest does not meet the OGF identification criteria);
- The special approval from the Forest Guard is not needed for forest operation: reforestation, clearing and thinning (considering that criteria are not meet for such areas).

For RTE forest habitats:

- Presentation of a valid environmental authorization;
- Presentation of a valid environmental approval (for every harvesting site);
- Starting the harvesting process after obtaining the environmental approval/authorization;
- Additional field verifications that addresses compliance with the measures imposed by environmental

3.4 HCV 4	<p>HCV 4 - Forest areas that provide basic services of nature in critical situations Very well reflected by Forestry Norms, FMP and current practices. Risk conclusion for HCV 4: Low risk</p>
3.5 HCV 5	<p>HCV 5 - Forests which ensure the basic needs of the local communities (including energy for house heating and cooking or building material for houses and households) Very well reflected by forest legislation in the past and also by the current practices (e.g. supplying a percentage of wood materials established by the forest management plans to meet the basic needs of local communities). Description of risk: The newly adopted wood selling regulation (HG 617 /2016) is restricting (for state forests) the total amount of wood materials (firewood and logs – not standing wood) that can be placed on the market annually: (i) for 2017 the maximum percentage is 15% and (ii) for 2018 the maximum amount is 20% from the total allowable cuts. Furthermore the harvesting places from where this particular wood material (e.g. 15% as logs and firewood) will be collected have to be effectively chosen by lot (following a strict procedure).</p>
	<p>This way there is no guarantee that the wood materials (coming from forests that the local community is dependent on ensuring those basic needs – HCV5) can be even theoretically allocated for local community. Legislation is no longer ensuring that HCV 5 can be properly managed (but only by hazard). Due to the Regulation procedure already started a real crisis on firewood on rural communities – largely reflected by media and civil society. Risk conclusion for HCV 5: Specified risk – only for standing wood Recommended control measures: <ul style="list-style-type: none"> • Rapid assessment to check if the harvesting place is included in HCV5; • Consultation of local authorities (city/town hall) and local communities for HCV 5 identification; • Only if the harvesting place is included in HCV 5, the company has to ensure the wood materials for basic needs of local communities (following consultations of local communities' representative). </p>
3.6 HCV 6	<p>HCV 6 - Forests critical for the preservation of the cultural identity of a community or an area. Well reflected by Forestry Norms (functional category 1-4E), FMP and current practices. There are no relevant examples where such conflict situations occur. Some of the arguments provided might represent only isolated cases or probably are situations where the thresholds definition (HCV6) were not fully meet. Risk conclusion for HCV 6: Low risk</p>