

**Original Article****The Management of the Romanian Forestry Fund**
*Scriptae et de facto!***POP Victoria – Mariana****West University of Timi oara, Faculty of Law and Administrative Sciences, Eroilor Bd., no. 9A, 300575, Timi oara, Romania*Received 3 February 2014; received and revised form 2 April 2014; accepted 25 May 2014
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Abstract

The legal framework that regulates the ownership and administration of the forestry sector is lacunar and applied randomly. Deviations from the law are tolerated or unnoticed *in extremis* in many situations. The past 24 years of bad management and carelessness have a catastrophic balance sheet. A report elaborated by the Court of Auditors draws many alarm signals, and the Greenpeace organisation provides worrying information. Ecological disaster resulting from excessive deforestation (in great proportion illegal) can be stopped. Urgent, strong and sustained measures applied can help to restore forests. Civil society must join these efforts.

Keywords: management, strategy, sustainable development, implementation, objectives, deforestation, forestry, state of facts.

1. Introduction

In the current national and international context, the activity of National Forest Administration (RNP) Romsilva is characterized by: the ongoing evolution process of environmental legislation [6] (development, detailing, modification) generated and based on attitudes arising from ethics ; actions that integrate general measures (national, EU, international) and measures of particular character (local regulations); the formation of the “environmental conscience”, environmental planning, integrated process of inter-sectorial and inter-institutional sustainable development that respects the “interests” of environment and it is based on the action possibilities the actors involved have.

RNP Romsilva prepared the documents regarding the management, strategy and policy in the forestry sector, but the fact reality shows us a tumult of conflicts from ignoring: the scientific report by major deforestation *versus* proportional re-foresting (at least!), compliance with the Constitution provisions [7], the observance of actual legislation and its improvement with new regulations and real solutions concerning the financial and logistical support to private and public owners in forestry sector, achieving the real restitution in legal, ethical and moral spirit.

The report elaborated by the Romanian Court of Auditors, that aimed the Ministry of Environment and Climatic Changes and the National Forest Administration Romsilva - under its authority, illustrates the dramatic situation of forest in post-revolutionary Romania [10]

Also, the result of a study performed by Greenpeace shows that in Romania, disappear more than 3 hectares of forest each hour. Publishing the deforestation map of Romania in the period 2000-2011, it requested the Minister of Environment and

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Climatic Changes to take urgent measures for protecting the forests [11].

"What arises from disorder? The order!" According to the philosophical dictum, far from indulging ourselves with the state of disorder, we wait for the order or for "someone" to make the order.

2. *Scriptae*

Under the United Nations Framework Convention on Climate Change, which was opened for signature at the Earth Conference in Rio de Janeiro in 1992 and the Kyoto Protocol, the industrialized countries had to reduce net greenhouse emissions on average by 5.2% below 1990's emissions, during the period of 2008-2012 [8, 9].

Consequently, *the afforestation of degraded lands*, with a particularly active role in sizing the phenomenon of climate change through their role of "sinks" and "stock" of carbon dioxide, as a component of sustainable management of national forest resources, is the *mission* through which Romsilva must and can contribute to a substantial improvement of the environmental factors.

The new National Rural Development Programme (NRDP), the provisions of which are set out in the proposal for a Regulation on the support granted from the European Agricultural Fund for Rural Development (EAFRD 2014-2020), opens the possibility to finance afforestation works of lands and forestry infrastructure development [13].

The fundamental objective of Romsilva on forestry sector is its development in order to increase its contribution to improving the quality of life through sustainable forest management.

For achieving this goal, the following *strategic objectives* have been established:

- adjustment of the institutional framework for unitary implementation of the forest sector development strategy;

- providing the necessary legal framework by: updating forestry and rural development legislation in line with the sustainable development of national forest fund [1,2,3,4]; harmonization of national legislation with EU specific legislation, international conventions and agreements to which Romania is a party; promoting legislative acts concerning mechanisms and instruments of market economy, as well as the ones regarding forest management in national forest through forest districts, regardless of ownership [5]; development and promotion of enactments to regulate: management of protected areas in the forest fund, creating facilities for forest land owners, to

beneficiaries of researches and to those who invest in research and development activities and funding, compensation and incentive mechanisms;

- stimulating the association in professional organizations and employers' associations of private forest owners and economic entities that have as object the exploitation, transport and woodworking activities.

There is also a *Forestry development project* whose goal is to maintain and improve the sustainable management of all forests in both state property and private property in order to ensure a greater contribution of Romanian forest resources to the national economy and the rural derivative economies [13].

One of the components through which the project objectives will be achieved refers to *establishing the systems that ensure sustainable management of privately owned forest land* by:

- a) providing by the national forestry inspectorates and the Ministry of Agriculture and Rural Development (MARD) support services of expanded and consultancy services, supervision, regulation and monitoring activities;

- b) the development of the Association of Private Forest Owners (APPR) by providing trained personnel, logistical support, by elaborating a business development plan for a period of five years and helping them to obtain funding under the SAPARD program;

- c) Supporting the establishment of Local Associations of Forest Owners (ALPP) especially in areas with high levels of poverty where forest land will be returned to individual owners, undivided joint ownership (co-owners, rural communities, etc.)

- d) Establishment of a national forest monitoring and information management (FMIMS) required for supervision and control.

3. *De facto*

The situation of forested areas reported to the whole national territory, positions our country extremely illustratively as regards to managing forest heritage: namely forests cover less than 30% of Romania's surface, while the average of the EU countries is about 42%.

The Romania Court of Auditors has produced a report that targeted the Ministry of Environment and Climate Change and the National Forest Administration Romsilva. This report informs the public on the dramatic reality determined by the systematically practiced looting of the forests in Romania in the last 24 years. The auditors stressed out that the balance between the general interest of society and the private interest of the owner is

established by law, since ownership right of the forests is not considered to be an absolute right in any of the European countries [10].

During 1990-2012, the public property of the state forests was reduced by more than 3 million hectares, in many cases (about 10% according to estimates of Court experts) the property right transfer was made illegal by both poor law and the abuse of the authorities. These figures underline how superficial the authorities have dealt with the issue of restitution.

“The public property was ignored, creating preferential treatment for those who requested for restoration of property rights [2]. The evidence to prove ownership has become relative, making room for abuse, as the courts accepted as supporting documents old documents without thoroughly investigating them. As a result, they reconstructed property rights wider than the real ones”, mentioned the Court of Auditors in the report.

From the data submitted to the Court by Romsilva resulted that there is a daily exploitation of 41 acres on average (14,000 ha/year), of which illegal logging and thefts are a big share. Summing logging of trees - private property and state property, it follows that during the period of 2005-2011 there were 292,000 hectares of forest cleared and reforestation were performed only on 120,000 hectares, namely much less than half! This being said, at EU level, Romania occupies only the 13 place regarding afforestation, with 5.1 percent below the European average, established at 32.4%. Artificially regenerated areas were on average of only 11,712 hectares per year.

Thus, reforestation does not even keep up with wood thieves who grub up far more than Romsilva succeeds to plant.

The results of a study conducted by Greenpeace shows that in Romania more than 3 hectares of forest disappear every hour. Map of deforested areas in Romania in 2012, published by the same organization in a press release in November 2013, provides the necessary data to the Minister of Environment and Forests to take urgent measures to protect forests [11].

Funds destined to projects in the National Rural Development Programme (PNDR) are insufficient and sadly diminished from stage to stage. For example, for the period 2014-2020, the budget is worth 7.1 billion euros (compared to 8.1 billion in the previous period 2007-2013) plus 10.5 billion euros of direct pillar of payments on area [13].

In a notification of the representatives of the Federation of Forest Owners and Grasslands in Romania (FPPPR-Nostra Silva) it was stated that

poor funding of the forestry sector in Romania can lead to massive land alienation and amplify the illegal logging.

FPPPR leaders have submitted to the minister the consequences of non-financing of the sector and argued, moreover, that there are many rural areas, mountainous (in particular) where only the forest resources and activities related to it support the local economy.

4. Conclusions

Extrapolating the data supplied by the Court of Auditors, if during the period 2005-2011 (7 years) were cleared with more than 170,000 hectares than were afforested, it results that between 1990 and 2013 we come close to 500,000 hectares deforested.

In any part of the globe these figures define an ecological catastrophe.

This happens every day, in front of our eyes and with the consent or indifference from all authorities and civil society.

The disaster produced deserves at least the same attention as the threat of environment in Rosia Montana, in the context in which almost the whole country is affected.

Both in public and in private sector, (which must comply with the general rules relating to the administration and operation of the wooded areas owned) Romsilva should adopt a set of managerial decisions and actions in order to determine long-term performance in this area, including the four basic elements of *strategic management*:

- *Environmental scanning* - SWOT analysis focusing on identifying and monitoring threats (future / external organization) in the light of the strengths and weaknesses (present / internal organization);

- *Formulating the Strategy* - setting SMART goals (Stimulative / Measurable / Accepted / Reasonable / defined within a period of Time) which should be incorporated, along with the organization's *mission*, in a very comprehensive *master plan*, and should take into account the *protection and sustainable development policy* of forestry fund and be a guide in formulating medium and long term strategy;

- *Implementing the strategy* – putting policies into action by developing programmes, budgets and procedures;

- *Evaluation and control* - performance evaluation, the results and comparing them with the ones projected when the strategy was formulated. This is the final major moment of the *strategic management*, called *feedback*.

The Ministry of Environment and Climate Change will have to monitor the implementation of the programs and to harmonize them with EU indicators. The responsibility of this institution is also to develop, promote and support packs of normative acts aimed to prompt and firm intervene in stopping vandalism and restore national forest [12].

To increase the area of forest in Romania, starting this year there are prerequisites that Forestry Department will receive funds to buy both degraded land for it to be afforested and areas occupied by forests. The new Forest Code aims to increase the total area of forest owned by the Romanian state and administrated by Romsilva to at least three million hectares.

It is imperative that the civil society, in all its forms of expression, to be present and active in the steps presented above.

The protest manifested must be constructive: debates, legislative initiatives, collaborative actions with Romsilva, attracting and involving of educational institutions in promoting the values provided by the nature and their conservation. These are only a few of the multiple forms that the initiatives and civil society actions can take.

Romsilva will have to manage the forest as a *bonus pater familias*.

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