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Greenpeace Romania
**Illegal logging cases
in Romanian forests**

GREENPEACE



Introduction

The forest is essential to life on Earth and provides essential services to humanity. The forest contributes to the physical and spiritual welfare of man through: production of oxygen; carbon capture; purification and water retention; protection against floods, erosion and landslides; supporting and protecting biodiversity; production of wood, fibre, biomass; participating in defining cultural identity and spiritual values; providing the framework for recreation etc. However, to date, 80% of the world's forests have been destroyed or degraded.

Biodiversity is the fundamental characteristic that confers importance to forests in Romania. There are still wild and pristine forests, home to unique flora and fauna, including the largest population of bears in Europe, rare and endemic species and large carnivores such as lynx or wolf. Beech forests and mixed coniferous and broadleaf forests are the record of the original composition of the forests of Europe.

In Romania, the area covered by forests has decreased dramatically in the twentieth century, reduced to 28.95%¹ today. Thus, we are well below the EU average of 32.4%², and considerably below capacity and optimum calculated at 35%³. Currently the national forest fund has a total area of 6.90

million hectares⁴, about half of it being public property under the management of the National Forest Administration - Romsilva R.A. and the other half is owned by the state, administrative-territorial units, communities and individuals. About 415,000⁵ hectares of forest belongs to small owners with less than 100 ha and is not administrated, thus being exposed to illegal logging.

According to a Greenpeace study on the evolution of the forested area in Romania between 2000 and 2011, approximately 280,108 hectares of forest were lost or degraded. An update of the 2015 map shows that the forest degradation rate was maintained at the same level in 2012-2014, the total area of 361,068⁶ ha being affected.

This report continues the monitoring activity that Greenpeace has begun in previous years with the publication of three reports on illegal logging for the period 2009-2011, for 2012 and for the period 2013-2014⁷. The report presents the data on cases of illegal logging identified and investigated by the authorities; it is worth mentioning that the official data shows an average of 8.8 million m³ of timber disappearing annually from the forests⁸ in 2013 and 2014, most from illegal logging.

¹ <http://roifn.ro/site/rezultate-ifn-1/>

² http://ec.europa.eu/agriculture/forest/index_en.htm

³ According to the National Rural Development Programme 2014-2020

⁴ <http://roifn.ro/site/rezultate-ifn-1/>

⁵ <http://www.curteadeconturi.ro/publicatii/economie7.pdf>

⁶ <http://www.greenpeace.org/romania/ro/campanii/paduri/publicatii/harta-pierderii-padurii-3-hectare/>

⁷ <http://www.greenpeace.org/romania/ro/campanii/paduri/publicatii/>

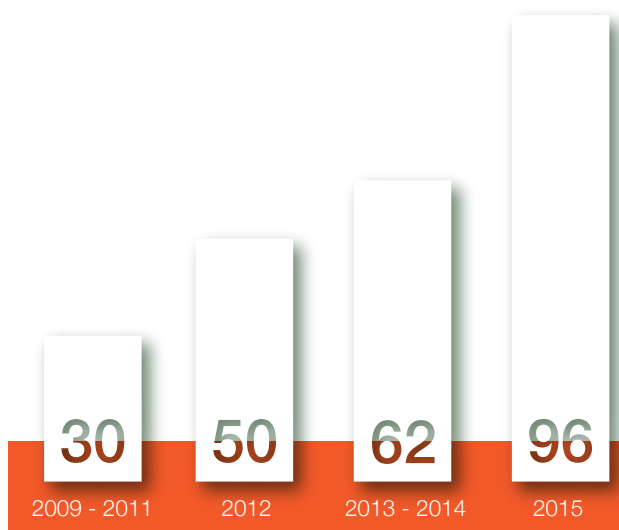
⁸ According to the Emergency Ordinance no. 32/2015 on the establishment of the Forest Guards



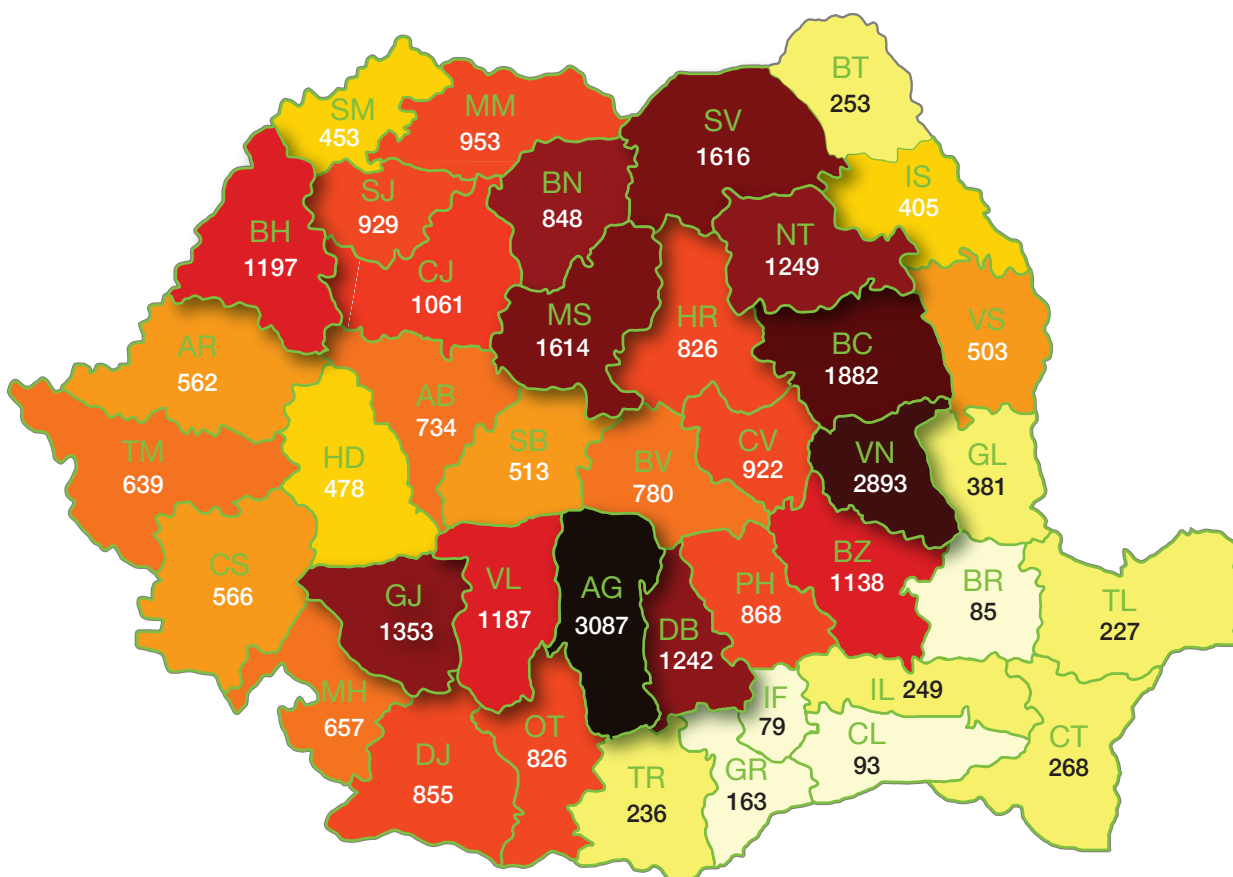
Illegal logging cases in Romania

In 2015 the authorities registered 34,870 cases of illegal logging, which means 96 cases / day. This indicates an increase in the number of illegal logging cases from the previous period, as shown in the chart:

The counties that registered the highest number of illegal logging cases are: Argeş - 3087 cases (8.85% of all cases nationwide), Vrancea - 2,893 (8.30%) and Bacău - 1,882 (5.40 %). Argeş county also recorded the highest number of illegal logging cases investigated by the authorities in the years 2013-2014 and 2009-2011. This development may be due to both increase in efficiency of the authorities in the identification and documentation of these cases, and the increase of the illegal logging phenomenon.



Evolution of illegal logging cases in the period 2009-2015
Number of illegal logging cases/day



Data analysis shows a big difference in most of the counties between the cases investigated by various authorities. Thus, a significantly higher number of cases were registered by the Romanian Police than the Forest Guard, in almost all counties. For example, in the county of Argeş, in 2015,

Romanian Police investigated 3087 cases of illegal logging, while the Forest Guard registered only 18 cases. Significant differences between the two institutions are also recorded in the counties of Vrancea, Dâmboviţa and Buzău, as shown in the table below:

No.	County	Forest Guard	Police	Romsilva	Gendarmerie ⁹
1	Argeş	18	3087	780	6
2	Vrancea	94	2893	156	6
3	Dâmboviţa	2	1242	140	31
4	Buzău	41	1138	145	4
5	Bihor	42	1197	179	13
6	Suceava	653	1616	381	6
7	Prahova	9	868	540	30
8	Valcea	439	1187	165	35
9	Gorj	632	1353	207	29
10	Neamţ	615	1249	429	1

First ten counties by different numbers of cases of illegal logging investigated by different authority bodies

Regarding the gravity of the deeds, of all cases of illegal logging recorded nationwide in 2015, 32% of them were classified as criminal offences for which a criminal record was issued, while 68% were contraventions, for which penalties totalling 29,673,250 lei were issued.

Of the 11,060 crimes nationwide, most were registered in the counties of Bacău - 697 crimes, Argeş - 691 crimes and Gorj - 676. Top 3 counties by number of criminal offences (Bacău, Argeş and Gorj) totals 18.66% of the number of criminal offenses recorded nationwide during 2015.

No.	County	Infraçțiuni	No.	County	Crimes
1	Bacău	697	6	Suceava	482
2	Argeş	691	7	Neamţ	458
3	Gorj	676	8	Vâlcea	444
4	Maramureş	590	9	Buzău	392
5	Vrancea	542	10	Dâmboviţa	387

The top 10 counties by number of crimes in 2015

⁹ The gendarmerie was restored responsibility for verification only in the second half of the year

During 2015, 23 909 contraventions were applied, most being registered in Argeş – 2,396 contraventions, Vrancea - 2,351 and

Bacău - 1,185. Argeş, Vrancea and Bacău counties totalled 24.81% of the contraventions fined nationwide.

No.	County	Contraventions	Nr.	County	Contraventions
1	Argeş	2396	6	Mureş	851
2	Vrancea	2351	7	Cluj	837
3	Bacău	1185	8	Bihor	836
4	Suceava	1134	9	Neamţ	791
5	Dâmboviţa	855	10	Sălaj	757

The top 10 counties by number of contraventions in 2015

The data analysis shows a linear relationship between the number of registered cases of illegal logging and the number of criminal offenses identified by authorities, namely sanctions. Regarding the amount of contraventions applied by the authorities, the Argeş county ranks first, with fines of 2,369,000

lei, representing 9.11% of total contraventions recorded at national level. Olt county is on second place, with fines of 2,369,000 lei, followed by Ilfov, with 2,033,500 lei. The three counties are again accountable for nearly a quarter (23.94%) of the amount of fines on a national scale in forestry.

No	County	Contravention amount in lei	No.	County	Contravention amount in lei
1	Argeş	2.704.050	6	Dolj	1.238.250
2	Olt	2.369.000	7	Bacău	1.126.150
3	Ilfov	2.033.500	8	Bihor	1.014.950
4	Vrancea	1.760.170	9	Mureş	978.500
5	Suceava	1.745.600	10	Cluj	969.230

The top 10 counties by number of contravention value in 2015



Prosecutors' Activity

Regarding the activity of forest crime investigation conducted by the prosecutors in 2015, 17,624 cases were investigated, of which 5,563 were solved, 31.56% respectively. Of the total cases solved last year nationwide, 564 were solved through arraignment, representing 10.14%.

Most cases solved were recorded in the counties of Maramureş - 1,174, Argeş - 1,148 and Gorj - 956, and the fewest in Teleorman - 57, Giurgiu - 42 and Brăila - 22, where there is less forest vegetation, compared to other counties.

No.	County	Number of cases	No.	County	Number of cases
1	Maramureş	1174	6	Suceava	723
2	Argeş	1148	7	Dâmboviţa	684
3	Gorj	956	8	Harghita	668
4	Vâlcea	826	9	Braşov	656
5	Bacău	773	10	Cluj	635

The top 10 counties by number of cases to be solved in 2015

In 2015, most solved cases were registered in Argeş - 345, Bacău - 338 and Vrancea - 336, counties that also registered the

highest number of illegal logging cases. The three counties account for 18.32% of all the cases solved nationwide in 2015.

No.	County	Number of cases	No.	County	Number of cases
1	Argeş	345	6	Maramureş	255
2	Bacău	338	7	Neamţ	249
3	Vrancea	336	8	Buzău	210
4	Vâlcea	316	9	Mehedinţi	196
5	Gorj	300	10	Covasna	193

The top 10 counties by the number of cases solved in 2015

In terms of the number of cases solved by filing lawsuits, most cases were registered in Argeş - 50, Bacău - 48 and Alba counties - 38. The counties that recorded a much higher

percentage of cases decided by arraignment than the national average, are Cluj – with 23.89% and Alba - 21.47% compared to the national average of 10.14%.

No.	Judeţ	Number of cases	Percentage per county	No.	Judeţ	Number of cases	Percentage per county
1	Argeş	50	14,49%	6	Neamţ	35	14,06%
2	Bacău	48	14,20%	7	Harghita	34	17,80%
3	Alba	38	21,47%	8	Cluj	27	23,89%
4	Vrancea	37	11,01%	9	Suceava	26	14,77%
5	Maramureş	35	13,73%	10	Vâlcea	25	7,91%

The top 10 counties by the number of cases resolved through arraignment in 2015



Forest Radar

On 10th August, 2014 the Decision no. 470/2014 became effective for approving the norms on the origin, transport and selling of wood, all of which requires online registration in the SUMAL system for all wood shipments. Legality of any wood transport can be verified by anyone, by calling the 112 emergency number.

During 2015, 19,946 calls were made to the emergency number 112 to verify the legality of timber transports. Of these, 3,388 (16.99%) were not registered with the database system to prevent illegal logging

(SUMAL), as required by the law.

The county with most recorded calls is Gorj, with 2,761 calls, which represents 13.84% of all calls made in the country. This is followed by the counties of Braşov, with 1,940 calls (9.73%) and Hunedoara, with 1,329 calls (6.66%).

The counties with the fewest calls recorded in 2015 are: Constanţa (14 calls), Teleorman (18), Ialomiţa (20), Brăila (20) and Călăraşi (26), data indicating a correlation directly proportional between the number of calls and forest stock recorded in each county.

No.	County	Number of 112 calls	No.	County	Number of 112 calls
1	Gorj	2761	6	Cluj	1125
2	Braşov	1940	7	Suceava	873
3	Hunedoara	1329	8	Sibiu	864
4	Alba	1291	9	Argeş	851
5	Buzău	1182	10	Caraş-Severin	557

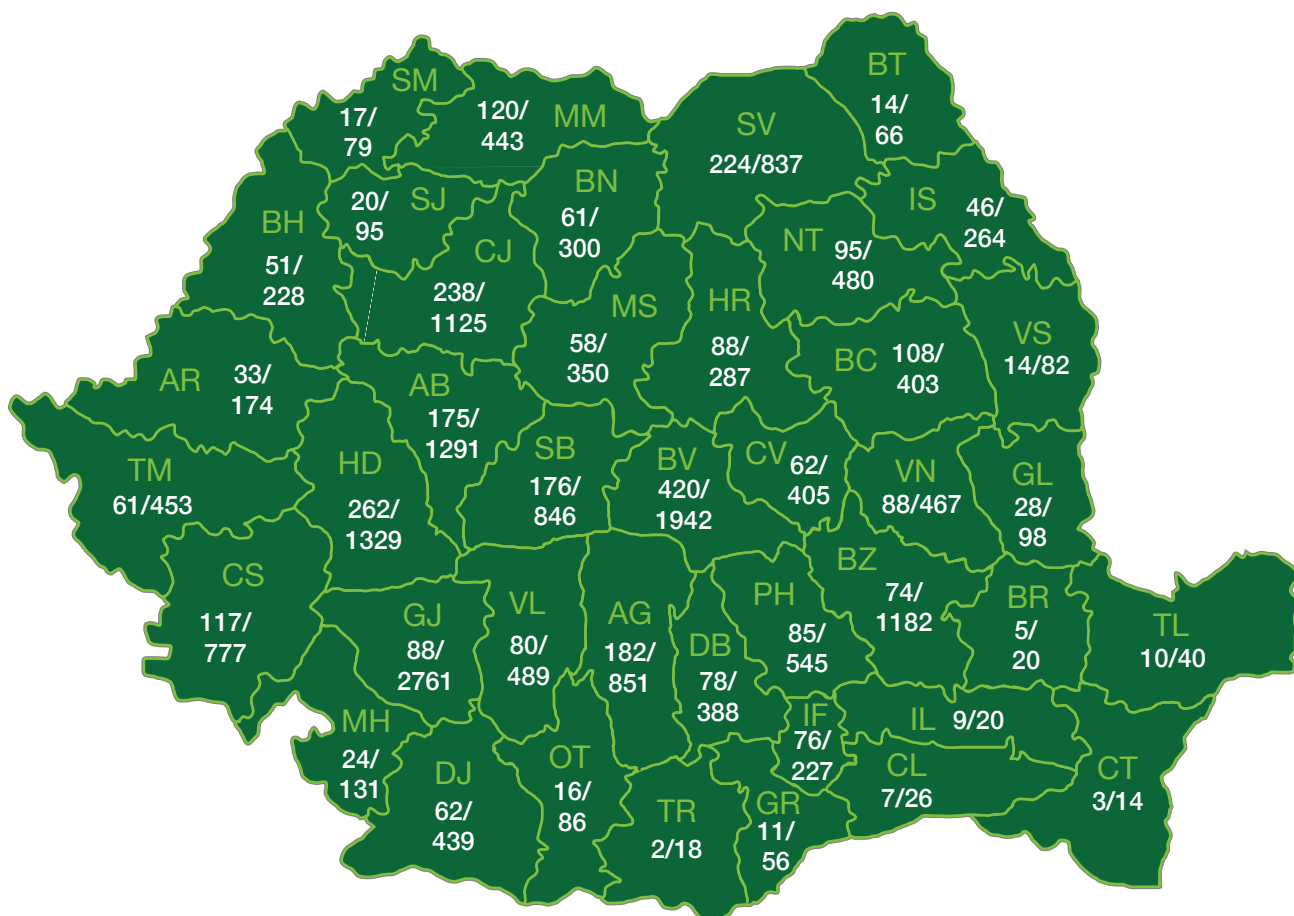
The top 10 counties by the number of calls made to 112 for wood transport checks

In terms of the number of confirmations of cases where the transport is not recorded in the SUMAL system as required by the legislation, thus being qualified as illegal at the

time of the alert to 112, most cases were reported in the counties of Braşov (420 calls) Hunedoara (262) and Cluj (238).

No.	County	Number of unregistered shipments	No.	County	Number of unregistered shipments
1	Braşov	420	6	Sibiu	176
2	Hunedoara	262	7	Alba	175
3	Cluj	238	8	Maramureş	120
4	Suceava	224	9	Caraş-Severin	117
5	Argeş	182	10	Bacău	108

The top 10 counties by number of timber shipments reported by calling 112 not registered with the SUMAL system



Map of the number of shipments reported by the Forest Radar (112 calls) and identified as unregistered in the SUMAL system

A slightly different situation is presented by analysing the share of unregistered SUMAL transports for all the reports made in each county. Thus, Ialomița county is on the first

place, with most unregistered cases - 45% of total shipments reported at 112, followed by Bucharest with 33.48%, Harghita - 30.66%, Galați - 28.57% and Maramureș - 27.09%.

According to the Forestry Code approved in March 2008 and amended in 2015, forest management is the responsibility of the Ministry of Environment, Water and Forests, which has in turn several subordinated institutions, namely: R.N.P. Romsilva R.A., responsible for management, the Forest Guard, responsible for monitoring and control, and the National Institute for Research and Development in Forestry "Marin Drăcea", responsible for research.

According to Law no. 133/2015 amending and supplementing the Forest Code, which became effective since 13th July 2015, the Romanian Gendarmerie, the Border Police and the National Agency for Fiscal Administration (A.N.A.F.) have reinstated their right to determine and apply sanctions in the forestry field.



Institutions responsible for the administration and control of forestry

Ministry of Environment, Water and Forests

The Ministry of Environment, Water and Forests (MMAF) is responsible for implementing the national environmental policy for water management and forest management, acting as a state authority with roles of synthesis, coordination and control in these areas.

RNP Romsilva R.A.

The National Forest Administration - Romsilva R.A. manages public forest property through 41 Departments of Forestry within 323 Forest Districts and provides on-demand management services for privately owned forests. In this regard Romsilva has signed 1,494 contracts for privately owned forests and provides forestry services under other 146,472 contracts¹⁰.

Forest Guard

The Forest Guard is a public institution with legal personality, subordinate to the central public authority responsible for forestry, i.e. Ministry of Environment, Water and Forests. The Forest Guard is succeeding Territorial Inspectorate for Forestry and Hunting, and the Commissary for Forestry and Hunting.

The main tasks of the Forest Guard are:

- a) Monitoring the implementation and enforcement of forestry regime in the national forest and forest vegetation outside the national forest lands;
- b) Monitoring, implementation and enforcement of hunting regulations in the hunting national regime;
- c) Monitoring and controlling the traceability of timber.

The Police

The department for fighting forestry crime within the Romanian Police directly conducts specific activities to prevent and combat illegal logging and transport of timber from state forest fund and private; also performing information-operative activities, recording offenses and imposing sanctions applicable to forest regime; liaises with the county forestry departments, territorial structures of Forest Guard and others.

The Gendarmerie

Romanian Gendarmerie is a specialized state institution with military status, part of the Ministry of Internal Affairs, which has the ability to control and record forestry contraventions according to the Forest Code. In 2010 the Gendarmerie had lost most of the tasks related to forestry offenses, but they were reinstated in 2015 by the new Forest Code.

¹⁰ http://www.rosilva.ro/articole/paduri_private__p_213.htm

Methodology

The data that fundaments this report was collected from the institutions responsible for the monitoring and control by requesting access to public information under Law 544/2001.

The research was carried out between February and April 2016 and refers to the statistical data available for 2015. Responding institutions are: Prosecutor General's Office, the Police, National Forest Administration – Romsilva R.A., the Forest Guard, the Gendarmerie and the Special Telecommunications Service.

Greenpeace Romania requested statistics on the number of forestry crimes and offenses reported, discovered and investigated, and the type and number of measures that were implemented. It also requested data on the volume of timber extracted illegally, the amount of damage and

the number of registered 112 calls in connection with wood shipments. All institutions have responded to the organization's requests.

For each county and category of information the highest values available were used (if data from IPJ Buzău indicated X offenses and crimes, while the Forest Guard in Focșani showed X + 1, we used data provided by the Forest Guard in Focșani).

In many cases, when it comes to joint action, various institutions recorded the same intervention separately. For these reasons, and to prevent duplicating the information, the statistics presented here do not represent the sum of monitor and control interventions or an absolute total number. Consequently, the result is a minimum figure and as such does not reflect the full extent of the phenomenon.

Conclusions

- The number of illegal logging cases recorded by the authorities rose to 96 cases/day in 2015, from 62 cases in 2013 to 2014, 50 cases in 2012 and 30 cases in 2009-2011.

- The counties that recorded the highest number of illegal logging cases are: Argeș – 3,087 cases (8.85% of all cases nationwide), Vrancea - 2,893 (8.30%) and Bacău - 1,882 (5.40%). Argeș county also recorded the highest number of illegal logging cases investigated by the authorities in the years

2013-2014 and 2009-2011.

- At national level, there were 11,060 crimes in the forestry field, during 2015.

- 23,909 contraventions were found, that imposed penalties totalling 29,673,250 lei;

- During 2015, there were 19,946 calls made to the emergency number 112 to verify the legality of timber transports. Of these, 3,388 (16.99%) were not registered with the database system to prevent illegal logging (SUMAL), as required by law.



Greenpeace is an independent global campaigning organisation that acts to change attitudes and behaviour, to protect and conserve the environment and to promote peace. Greenpeace is present in more than 55 countries across Europe, the Americas, Asia, Africa and the Pacific.

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