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M-AU TĂIAT ÎN 10 MINUTE...  
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## Illegal Logging Cases in Romanian Forests 2009-2011

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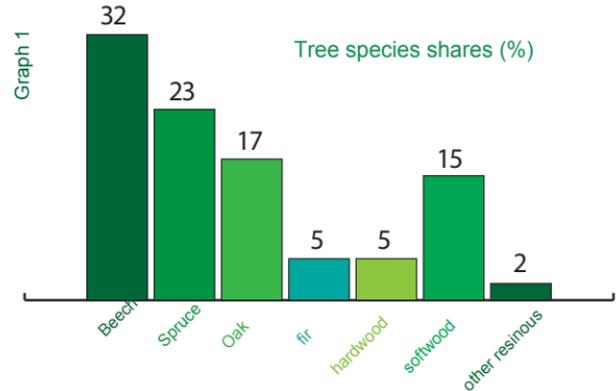
# Introduction

Without healthy and rich forests, the planet cannot sustain life. Until now, 80% of world's forests have been degraded or destroyed. Greenpeace has a worldwide campaign to stop deforestations until 2020, to protect what is left of these extraordinary ecosystems.

Forests have, along the economic importance, a crucial role in maintaining the climate characteristics. Globally, deforestation is one of the main causes of climate change.

In Romania, forests cover approximately 29% of the country's total area, compared to the average of the EU, which is over 40%. Approximately 51.9% of the forest areas are in mountain areas, and the rest are in hill and lowland areas<sup>2</sup>.

The tree species are distributed, mainly, according to landscape and phytoclimatic floors.



From the species structure point of view, forests are comprised of the following main species: beech (32%), spruce (23%), oak (17%), fir (5%), different species of hardwood (5%), other species of softwood (15%) and other resinous (2%). Sadly, the illegal logging cases phenomenon is very wide spread in the world and in Romania.

Greenpeace made an investigation on this topic to document the situation and make an inventory of the number of illegal logging cases between 2009 and 2011, cases registered by the authorities.

1. [http://ec.europa.eu/agriculture/fore/characteristics/index\\_en.htm](http://ec.europa.eu/agriculture/fore/characteristics/index_en.htm)

2. Source: Ministry of Environment and Forestry, Starea pădurilor 2010<sup>3</sup> report  
[http://www.mmediu.ro/paduri/management\\_forestier/2011-11-18\\_management\\_forestier\\_stareapadurilor2010.pdf](http://www.mmediu.ro/paduri/management_forestier/2011-11-18_management_forestier_stareapadurilor2010.pdf), pagina 9

3. Source: Ministry of Environment and Forestry  
[http://www.mmediu.ro/paduri/management\\_forestier/2011-11-18\\_management\\_forestier\\_stareapadurilor2010.pdf](http://www.mmediu.ro/paduri/management_forestier/2011-11-18_management_forestier_stareapadurilor2010.pdf), pagina 11

# Institutions with administrative and control attributions in forestry

Romania has 6,515,000 hectares of forests. From that amount, 3,339,000 belong to the state, 2,079,000 belong to physical and juridical entities, 1,024,000 million hectares are the public property of administrative units and 73 thousand hectares are private property of administrative units<sup>4</sup>.

51% of the forest fund is public property, administered mainly by Romsilva - National Forestry Enterprise and 49% is private property, being administrated largely by private forest structures.

By the end of 2010 (according to Ministry Order 904/2010) 463 forest administration structures were authorized and reauthorized, of which 325 forest districts from the Romsilva structure and 138 private forest districts<sup>5</sup>.

In Romania, deforestation is very wide spread, especially in mountain counties and the authorities are responsible with the management and monitoring of forestry interventions. Also, in the case of illegal logging, it is the responsibility of the authorities to make inspections and to apply sanctions - and to file criminal cases where needed.

According to the current Forest Code, approved in March 2008 and updated in 2010, forest management is the responsibility of the Environment and Forest Ministry, which has, in turn, several institutions under it: Romsilva, Regional Forestry and Hunting Inspectorates, the Forest Research and Management Institute, the National Environmental Guard and the National Environmental Protection Agency. (see *Figure no.1, pag. 9*).

4. S source: Ministry of Environment and Forestry  
[http://www.mmediu.ro/paduri/management\\_forestier/2011-11-18\\_management\\_forestier\\_stareapadurilor2010.pdf](http://www.mmediu.ro/paduri/management_forestier/2011-11-18_management_forestier_stareapadurilor2010.pdf)

5. S source: Ministry of Environment and Forestry  
[http://www.mmediu.ro/paduri/management\\_forestier/2011-11-18\\_management\\_forestier\\_stareapadurilor2010.pdf](http://www.mmediu.ro/paduri/management_forestier/2011-11-18_management_forestier_stareapadurilor2010.pdf) , pagina 19

## National Forest Enterprise-Romsilva

Romsilva's purpose is to sustainably and unitary manage the state owned forest fund, according to the forest plans and forest regime norms, in order to raise the forests' contribution to the improvement of the environmental conditions and to insure the supply of wood, forest products and other specific forest services to the national economy.

Romsilva is functioning based on the Law no. 46/2008 (the Forest Code) and of the Government Decision no. 229/2009 regarding the reorganisation of the National Forest Enterprise- Romsilva.

Within the Romsilva structure there are territorial units, with no juridical form (forestry departments) as well as the Targu Mures Research Facility for Fur Animals and a juridical unit - the Forest Research and Management Institute<sup>6</sup>.

## The Regional Forest and Hunting Inspectorate (ITRSV)

Has representatives in all counties and nine regional offices. They coordinate the state and private forest districts.

ITRSV București	ITRSV Focșani	ITRSV Brașov	ITRSV Vâlcea	ITRSV Suceava	ITRSV Cluj	ITRSV Oradea	ITRSV Timișoara	ITRSV Ploiești
Ifov	Brăila	Mureș	Vâlcea	Suceava	Cluj	Satu Mare	Timiș	Dâmbovița
Teleorman	Buzău	Harghita	Gorj	Bacău	Bistrița Năsăud	Sălaj	Caras Severin	Argeș
Giurgiu	Galați	Covasna	Dolj	Iași	Maramureș	Bihor	Hunedoara	Prahova
Ialomița	Tulcea	Sibiu	Mehedinți	Botoșani	Alba	Arad		
Călărași	Vaslui	Brașov	Olt	Neamț	Regional structure of ITRSV			
Constanța	Vrancea							

Tabel 1

ITRSV is an institution coordinated by the Environment and Forestry Ministry. It is organised as a zonal structure with inspectorates that have limited competences to the field, it coordinates, oversees and performs forestry and hunting inspections and also implementation and control of the forest regime in the respective counties.

The forest and hunting inspectorates do not have juridical form, they are organised as compartments in the counties of ITRSV except where ITRSV head office is. ITRSV is operating as a public institution and is financed by the state budget.

The exercised roles, the objectives and own attributions of ITRSV are established based on the provisions of Governmental Decision no. 333/2005 for reorganising the regional forestry and hunting inspectorates and on the provisions from the forestry and hunting regulations. ITRSV has the responsibility to check the situation on the field, to see if there have been cases of illegal logging. Also, the inspectors are allowed to apply penalties and make criminal cases if needed.

## The Forest Research and Management Institute

The Forest Research and Management Institute (ICAS) was established in 1933 as a public institution of national interest, specialized in research and implementation of the new technologies in the public and private forest sector, in order to ensure a sustainable management of Romanian forests<sup>7</sup>.

## National Environmental Guard

The National Environmental Guard is a public institution that acts as a specialised department of the central public authority, with juridical form, financed entirely by the state budget and overseen by the public central authority for environmental protection. The National Environmental Guard is a specialized inspection and control body, and the commissaries are public servants with a specific statute and who can give sanctions, suspend/stop activities because of pollution and

environment degradation or for not respecting the conditions imposed by the regulation acts and the established measures in the inspection and control reports. The personnel with control attributions is invested with the state public authority during their service and in regard to their work responsibilities in order to meet the attributions and work obligations<sup>8</sup>. The Environmental Guard controls the way the biological resources, wild flora and fauna, game and fisheries are capitalized; it organises prevention and control actions, in order to avoid the damages to natural habitats in protected areas, controls the enforcement of environmental legislation in protected areas, by organising mutual actions together with their representatives in order to protect natural habitats.

## The National Environmental Protection Agency

The National Environmental Protection Agency is the specialized institution of the central public administration, subordinated to the Environment and Forestry Ministry. It has competences to implement the environmental protection policies and legislation, established by the Governmental Decision no. 918 of August 30th 2010 regarding reorganisation and operation of the National Environmental Protection Agency and of the institutions that are subordinated to it.

The National Environmental Protection Agency was founded in 2004, it has 8 regional agencies and 34 county agencies which are in its direct subordination.

Besides the institutions that are overseen by the Environmental and Forestry Ministry, also the Gendarmerie and the Police have some attributions related to the forest sector.

8. Decision no 112 of 18th February 2009 regarding reorganising and operation of the National Environmental Guard  
[http://gmn.ro/staticdocs/HG\\_112\\_2009.pdf?PHPSESSID=e07f396754b31f51fdded401b0c90709](http://gmn.ro/staticdocs/HG_112_2009.pdf?PHPSESSID=e07f396754b31f51fdded401b0c90709)

## The Gendarmerie

The General Inspectorate of the Gendarmerie is the central unit of Romanian Gendarmerie, it has juridical form and general territorial competence. It plans, organizes, leads, coordinates and controls the activity of the structures underneath it, it ensures the collaboration with other state institutions, governmental and non-governmental organisations from the country and from abroad.

Initially, the Gendarmerie had 16 different attributions related to reporting forest contraventions and applying the sanctions according to the law. According to the Forest Code, the Gendarmerie has lost some of these attributions<sup>9</sup>. Now, this institution is authorized to give specialized support in organizing forest guard and only reporting the contraventions, without being able to apply sanctions<sup>10</sup>.

## The Police

The department for fighting against forest crimes in the Romanian Police is carrying on direct and specific activities to prevent and fight against illegal logging and timber transports coming from the state and private forest fund, in each county.

It also carries on informative and operational activities; reports on crimes and applies sanctions in the forest and fishery regimes, cooperates with the county Forest District, the Forest and Regional Hunting and Forest Inspectorate, the territorial units of the Environmental Guard, Financial Guard, National Fishing and Aquaculture Agency and other institutions or organisations with attributions in this field.

Regarding forestry, the policemen make field controls, report the acts and file criminal records, according to each case.

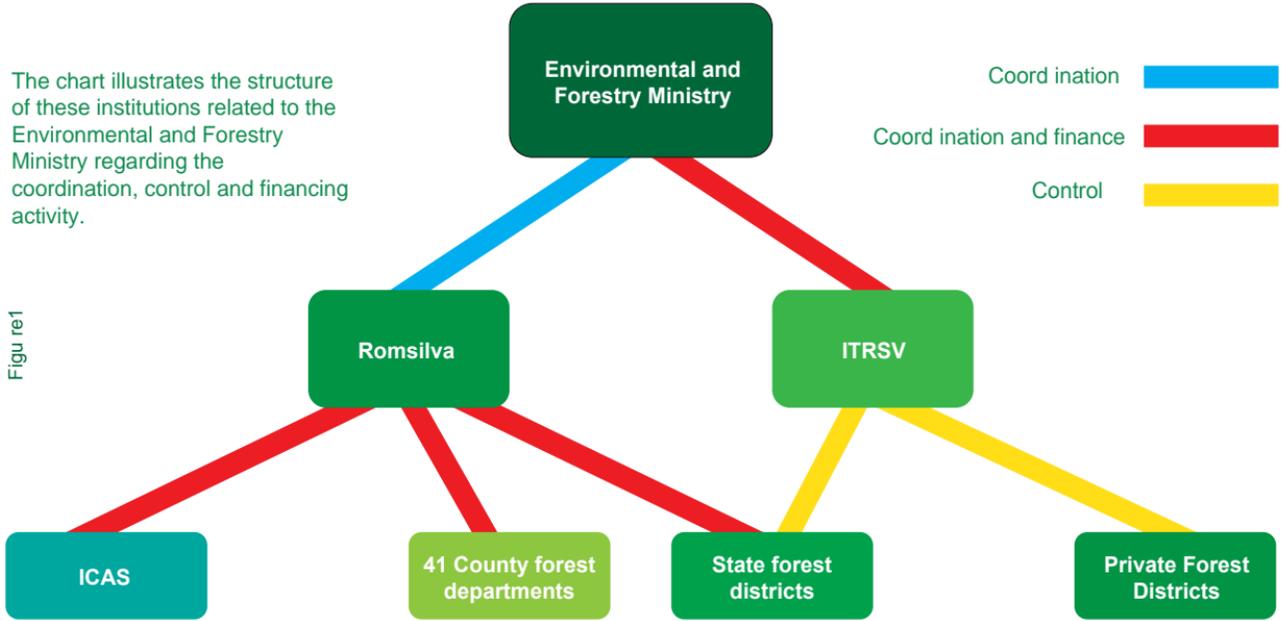
9. [http://www.legestart.ro/Legea-171-2010-stabilirea-sanctionarea-contraventiilor-silvice-\(MzU4MDgw\).htm](http://www.legestart.ro/Legea-171-2010-stabilirea-sanctionarea-contraventiilor-silvice-(MzU4MDgw).htm)

10. [http://www.legislatiromaneasca.ro/uploads/files/CODUL\\_SILVIC.pdf](http://www.legislatiromaneasca.ro/uploads/files/CODUL_SILVIC.pdf) , page 22



The chart illustrates the structure of these institutions related to the Environmental and Forestry Ministry regarding the coordination, control and financing activity.

Figur re1



# Results of the Greenpeace report

Based on the answers from the authorities, between 2009 and 2011 there have been a total of 31,456 registered cases of illegal logging at national level, cases that have been sanctioned (fines or criminal records, according to the gravity of the case).

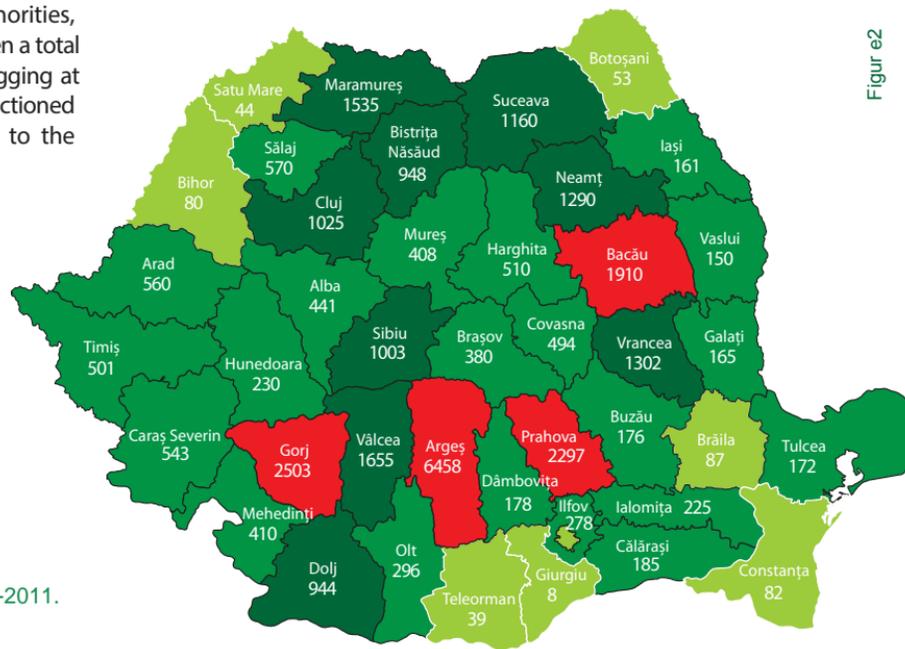


Figure 2

Illegal logging cases, by county - 2009-2011.

Most cases of illegal logging were registered in Argeş county (over 6,000), Gorj (2,500), Prahova (over 2,000), Bacău (almost 2.000) – see table no. 2. The least number of illegal cases were registered in Giurgiu and Teleorman counties, with 8, respective 39 cases, where the forest covered area is smaller than in other counties. The values are very different also according to the landscape, in the plains there are less forest covered areas than in the mountain areas.

According to the Greenpeace investigation, there are over 10 counties where in the last three years there have been over 1,000 cases of illegal logging registered by the authorities – see table no.2.

Table 2

No.	County	Number of cases of illegal logging (2009-2011)
1	Argeş	6458
2	Gorj	2503
3	Prahova	2297
4	Bacău	1910
5	Vâlcea	1655
6	Maramureş	1535
7	Vrancea	1302
8	Neamţ	1290
9	Suceava	1160
10	Cluj	1025

Top 10 counties by the number of illegal logging cases registered by the authorities from 2009 to 2011

Therefore, the highest number of illegal logging registered by the authorities between 2009 and 2011 were in Argeş (6,458), Gorj (2503) and Prahova (2,297).

The status from the 10 counties is highlighted in graph no. 2.



During the three year period analyzed, most cases were registered by the Police (21,127 cases), followed by the county Forest Departments (15,076 cases) and ITRSV (4,851 cases).

According to the data communicated by the authorities, the illegal timber exploited was of at least 452,842 cubic meters.



From Graph no.3, there is a significant difference between the number of cases registered by the Police and the ones registered by the Gendarmerie. The reason for this contrast is that since 2010, because the legislation changed, part of the Gendarmerie's attributions regarding forestry were reduced<sup>11</sup>.

In several cases there were big differences between the numbers of cases registered with ITRSV and the Police, Gendarmerie and forest departments - the biggest contrast is in Arges county, where the police has found 3,686 cases of illegal logging but ITRSV,

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The table below presents the first 10 counties, sorted according to the contrast between the cases registered by the Police and the ones of ITRSV. Arges county is the worst, where there is a gap of over 3,600 cases between police and ITRSV, see table no.3.

Table 3

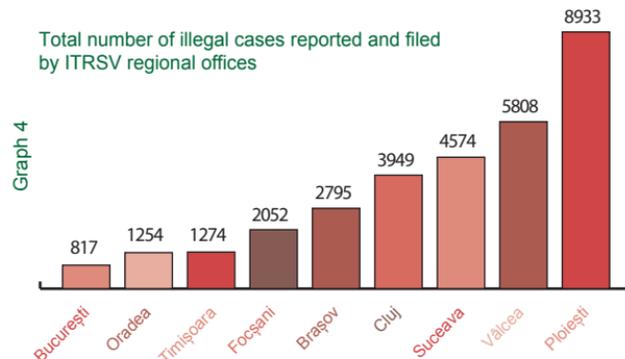
County	Cases registered by police	Cases registered by ITRSV	Gap
Argeş	3686	51	3635
Gorj	2503	25	2478
Vâlcea	1655	64	1591
Neamţ	1290	18	1272
Vrancea	1302	61	1241
Sibiu	1003	2	1001
Suceava	1160	195	965
Dolj	944	13	931
Maramureş	1535	816	719
Harghita	510	42	468

Gap between the number of illegal logging cases registered by authorities

Therefore, in five counties there is a gap of over 1,000 cases in the data registered by the authorities: Gorj, Valcea, Neamt, Vrancea and Sibiu.

One of the counties where there is such a big gap is Prahova, where the Police does not have any registered case, ITRSV has two, but the Gendarmierie

has 437 cases, and the county Forest Department has documented 2.297 cases of illegal logging between 2009 and 2011. These examples raise doubts about the controls quality, sanctions and general forest management. - Considering the ITRSV regional offices and analyzing the number of reported number of illegal logging cases, it can be observed that the highest number is filed by ITRSV Ploiesti, which coordinates the Dambovita, Arges and Prahova counties - see graph no.4.



Altogether, in Dambovita, Arges and Prahova counties were officially registered, between 2009 and 2011, 9,000 illegal logging cases.

# Methodology

Greenpeace Romania investigated the illegal logging issue between February and July 2011, analyzing the cases registered officially between the years 2009 and 2011.

Greenpeace asked for information about the illegal logging cases, criminal cases, fines and sanctions given, related to illegal logging, in all the Romanian counties.

Consequently, all the offices of ITRSV, Environmental Guard, Gendarmes Inspectorates and county Forest Departments were contacted for this information.

Greenpeace Romania sent 339 written requests to the institutions mentioned above<sup>12</sup>, from which 329 official answers were sent back with information related to illegal logging and applied sanctions - *see table no.4.*

Table 4

Contacted institution	Total no. of written sent requests	Total no. of replies
Environmental Guard	71	66
Gendarmerie	74	79
Police	98	89
ITRSV	27	28
Forest Department	69	67

Number of requests sent to institutions and number of received replies

# Conclusions

Between 2009 and 2011 there are officially registered over 31,456 cases of illegal logging. In other words, 10,485 cases a year and around 29 cases per day.

Most illegal logging cases were registered in Arges, Gorj and Prahova counties, a total of 11,258 cases in three years.

Starting with 2010, the Gendarmerie has less attributions, so now it can only report the cases, not apply sanctions for illegal logging.

Regarding the number of illegal logging cases registered by the authorities, taking into account that these are only the official records, it is clear that the real number of cases is higher.

This study offers an overview of the official records of the authorities responsible for the sustainable management of forests and for the keeping track of cases and sanctions.



Greenpeace is an independent, campaigning organisation using non-violent, creative confrontation to expose global environmental problems and to force the solutions which are essential to a green and peaceful future

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