



FSC Controlled Wood risk assessment

SPECIFIC REQUIREMENTS

INTERPRETATION OF ANNEX 2B OF THE STANDARD FOR COMPANY EVALUATION OF FSC CONTROLLED WOOD FOR ROMANIA
(FSC-STD-40-005-V-2.1)

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Summary of risk for Romania for all forest types

Controlled Wood categories		Risk level
1	Illegally harvested wood	Unspecified
2	Wood harvested in violation of traditional and civil rights	Low
3	Wood harvested in forests where high conservation values are threatened by management activities	Unspecified
4	Wood harvested in forests being converted to plantations or non-forest use	Low
5	Wood from forests in which genetically modified trees are planted	Low



FSC CONTROLLED WOOD RISK ASSESSMENT

1. Illegally harvested wood

UNSPECIFIED

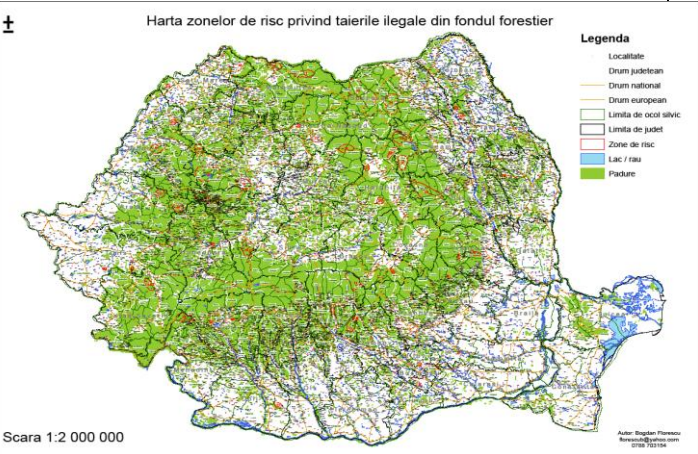
Requirements	Sources of information	Evidence	Risk
<p>Category 1. The district of origin may be considered low risk in relation to illegal harvesting when all the following indicators related to forest governance are present:</p>			
<p>1.1 Evidence of enforcement of logging related laws in the district.</p>	<p>Ministry of Environment and Forests - legislation concerning the forests and law enforcement for silviculture and forestry http://www.mmediu.ro/legislatie/paduri.htm World Bank Rule of Law index - http://info.worldbank.org/governance/wgi/index.asp National Forest Administration-Romsilva - forestry legislation (http://www.rosilva.ro/categorie.php?id=7) Forest statistics -2010, document developed by Ministry of Forests and Environment National Institute of Statistics: www.insee.ro</p>	<p>There are a set of Laws, Government Decisions and Ministerial Orders which form the legislative and technical support for logging activities. The governing law for logging activities is Law 46/2008 (Forest Code) Ministry of Environment Order no. 1540/2011 regarding the logging periods, harvesting technique, and transport modalities of wood. Every logging activity is done according with approval from Agency for Environmental Protection and Territorial Inspectorate for Forest and Wildlife Management, according with Ministerial Order no. 1798/19.11.2007, completed with Ministerial Order no. 1298/28.04.2011. Ministerial Order no. 904/2010 includes legislation for establishing and authorization of private and state FMU's. Silvicultural Norm 4 (Ministerial Order no. 1565/31.10.2000) gives indications on the assessment of wood volumes.</p>	<p>UNSPECIFIED</p>



Requirements	Sources of information	Evidence	Risk
		<p>Sourcing, transport and sale of timber is done through Government Decision no. 996/2008</p> <p>Penalties in silviculture are mentioned in Law no. 171/2010</p> <p>OUG 85/2006 – related to the assessment of damages produced in and outside the forest area.</p> <p>Government Decision no. 1076/2009 regulates the approval of Forest Guarding Rules.</p> <p><i>Minimum of 7% (more than 400 000 ha) of the forest area in Romania is not administrated and around 10% of the forests have no forest management plan. Each county of Romania includes forest which are not administrated for the moment. This areas are not compact and spread in all the country</i></p> <p><i>According to the General Rule of Law Index of the World Bank, the index for Romania, in 2011, was 54:100, which is <75%, but it has shown a constant increasing tendency for the last years.</i></p>	
<p>1.2 There is evidence in the district demonstrating the legality of harvests and wood purchases that includes robust and effective systems for granting licenses and harvest permits.</p>	<p><u>Ministry of Environment and Forests</u> http://www.mmediu.ro/paduri/paduri.htm</p> <p>Ministry of Environment and Forests - Biodiversity legislation http://www.mmediu.ro/legislatie/biodiversitate.htm</p> <p>National Agency for Environmental Protection http://www.anpm.ro/legislatie.aspx?i</p>	<p>In Romania, a good system of harvesting control (harvesting license and authorization of forest harvesting) has been in place since 2008. According to Romanian legislation, in order to obtain a harvesting authorization within a forest area, a logging company has to meet the following requirements:</p> <ul style="list-style-type: none"> ○ Ten-year Forest Management Plan, approved by the Forestry Authorities (Law 46/2008 - Forest Code) ○ Every logging activity is done according with 	<p>LOW</p>



Requirements	Sources of information	Evidence	Risk
	d=57	<p>approval from Agency for Environmental Protection and Territorial Inspectorate for Forest and Wildlife Management, according with Ministerial Order no. 1798/19.11.2007, completed with Ministerial Order no. 1298/28.04.2011. Environmental authorisation is reached at company level.</p> <ul style="list-style-type: none"> ○ Standing wood evaluation document - APV (in Romanian) - registered in the SUMAL National system (On-line Wood tracking System) approved through Minister Order no. 583/15.09.2008 ○ Sale of timber is stipulated through Government Decision no. 1174/2006 ○ Sale of timber coming from state FMU's is stipulated through Governmental Decision no. 1898/2010. <p>According to Romanian legislation, up to 20 cubic meters can be logged with individual resources. For amounts exceeding this quantity, the logging activities can be done only with logging companies authorized by a Commission coordinated by Ministry of Forests and Environment. Commission is functional based on Ministerial Order no. 223/1130/2008.</p>	
<p>1.3 There is little or no evidence or reporting of illegal harvesting in the district of origin.</p>	<p>Ministry of Agriculture and Rural Development web-page - Annual Report for 2011 http://www.madr.ro/pages/paduri/raport-starea-padurilor-2007.html World Bank Rule of Law index</p>	<p>Since 2008, SUMAL –“Electronic system at national level for tracking wood” has been implemented in every FMU and company which transports, sells or processes wood. Periodically results of the SUMAL are verified by inspectors from Inspectorates for Forest and Wildlife Management.</p>	<p>UNSPECIFIED</p>

Requirements	Sources of information	Evidence	Risk
	<p>(http://info.worldbank.org/governance/wgi/index.asp) Regional Forestry Inspectorates web pages</p> <p>(http://www.madr.ro/pages/page.php?self=02&sub=0201&tz=020108) WWF report on illegal logging from 2005</p> <p>(http://www.forestconsulting.net/Downloads/Publications/finalromaniaillegallogging.pdf) http://www.suceava.regimsilvic.eu/ National Institute of Statistics: www.insee.ro</p>	<p>According to forest protection and other specific regulations, there are specific activities intended to</p> <div data-bbox="1070 502 1765 957" data-label="Figure">  </div> <p>protect the forest:</p> <ul style="list-style-type: none"> - Minimum two inspections in each Canton Silvic (Canton Silvic = forest area in the responsibility of one ranger) - Inspections in harvesting areas (minimum two in each harvesting place during harvesting activities) patrols - Checking points on forest and national roads - Barriers on forest roads in areas with risk of illegal activities.. <p><i>A study was conducted by the WWF Danube Carpathian Programme and the Forest Information and Certification Center Brasov, together with the</i></p>	



Requirements	Sources of information	Evidence	Risk
		<p><i>Forestry Inspection Directorate from the Ministry of Agriculture and Rural Development, in order to have an official overview about the situation of illegal logging. See below details of this study:</i></p> <p>Source: WWF DCP and Association for Forest Certification</p> <p><i>Fig. 2 Mapping of the potential risk areas for illegal logging and illegal timber trade in Romania</i></p> <p>The areas have been set up during the public consultation/workshop organized in Geoagiu, Hotel Diana 15-17 November 2006, by the WWF Danube Carpathian Programme and the Forest Information and Certification Centre Brasov, together with the Forestry Inspection Directorate of the Ministry of Agriculture and Rural Development. The delimitation of risk areas on maps was made with the support of the forest inspectors of Regional Forest Inspectorates. The activity of risk area identification was part of the Ministry of Agriculture Action Plan for fighting against illegal logging and illegal timber trade.</p> <p><u>The following criteria were taken into consideration during the risk area delimitation:</u></p> <ol style="list-style-type: none"> 1. 1.Number of private owners with properties smaller than 1,00 ha. 2. 2. Forest property size. 3. 3. Number of complaints and letters addressed to the regional forestry inspectorates claiming illegalities in a certain forest area. 4. 4. The volume of illegally logged wood 	



Requirements	Sources of information	Evidence	Risk
		<p>registered official during the forest inspections.</p> <ol style="list-style-type: none"> 5. 5. Number of penalties and sanctions applied by the forest inspectors. 6. 6. Number of small size timber and wood sawmills 7. 7. Social problems and poor communities. 8. 8. Illegal or abusive forest restitution of important areas. 9. 9. Political pressure in cases of investigations done by the forestry inspectors 10. 10. Lack of forestry cadastre 11. 11. Non managed forest areas, according with Governmental Decision nr.139 <p><i>According to National Institute of Statistics situation after Authorities inspections the total volume of illegal wood in 2010 was 189 982 m³. In 2010 In Romania was logged a total amount of 16 992 000 m³.</i></p>	
<p>1.4 There is a low perception of corruption related to the granting or issuing of harvesting permits and other areas of law enforcement related to harvesting and wood trade.</p>	<p>Transparency International http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table Official site of Ministry of Agriculture and Rural Development http://www.madr.ro/pages/page.php?self=02&sub=0206</p>	<p>According to the Corruption Perception Index, Romania has a rate of 3.6 for 2011. Working Group on CWRA consider that it is conform with reality and approve as unspecified the indicator.</p>	<p>UNSPECIFIED</p>



2. Wood harvested in violation of traditional and civil rights

LOW

Requirements	Sources of information	Evidence	Risk
<p>Category 2. The district of origin may be considered low risk in relation to the violation of traditional, civil and collective rights when all the following indicators are present:</p>			
<p>2.1 There is no UN Security Council ban on timber exports from the country concerned.</p>	<p>Global Witness http://www.globalwitness.org/pages/en/forests.html</p>	<p>There is no UN Security Council export ban in Romania, according to United Nations and Global Witness sites.</p>	<p>LOW</p>
<p>2.2 The country or district is not designated a source of conflict timber (e.g. USAID Type 1 conflict timber).</p>	<p><u>Conflict Timber: Dimensions of the Problem in Asia and Africa. Volume I. Synthesis report. June 2003, available at: www.usaid.gov/hum_response/oti/pubs/vol1synth.pdf</u></p>	<p>Romania is not a source of conflict timber and it has never been considered a source of conflict timber.</p> <p>Romania ratified on Dec 17, 2009 the Agreement to the International Tropical Timber Agreement adopted on 27 January 17, 2006 in Geneva by the United Nations Conference for the Negotiation of a Successor Agreement to the International Tropical Timber Agreement of 1994.</p>	<p>LOW</p>
<p>2.3 There is no evidence of child labour or violation of ILO fundamental Principles and Rights at work taking place in forest areas in the district concerned.</p>	<p>Romanian Constitution</p> <p>Global Child Labor developments: Measuring Child labor trends 2004-2008 http://www.ilo.org/ipeinfo/product/viewProduct.do?productId=13313</p>	<p>According to Romanian Constitution, all citizens have equal rights to work with no discrimination on gender, political and religious views and nationality. Women and men have equal rights to work and to be part of Labor Unions and to benefit from social rights.</p> <p>Romania has ratified all ILO Conventions concerning the child labor and ILO Fundamental Principles.</p>	<p>LOW</p>



Requirements	Sources of information	Evidence	Risk
		<p>National legislation concerning the ratification of ILO Convention 182/199 - regarding the Child Labor and different forms of child labor - ratified through Law 203/ 2000 - 15.11.2000 concerning child labor. Romania is not mentioned in IPEC database as a country with problems in child labor.</p> <p>According to national legislation for Health and Safety, in the silvicultural branch, the minimum age for working in the logging sector is 18 years, and for working in a tree nursery is 16. .</p> <p>Labor legislation in Romania complies with ILO convention requirements: ord. 727/1991- H&S regulations; O.U. 59/2000 Statute of forestry employees; Labor Code – Law 53/2003.</p>	
<p>2.4 There are recognized and equitable processes in place to resolve conflicts of substantial magnitude pertaining to traditional rights including use rights, cultural interests or traditional cultural identity in the district concerned.</p>	<p>Romanian Constitution Minister of Environment and Forests - forest restitution data's for 2008 http://www.mmediu.ro/paduri/management_forestier.htm</p>	<p>There is no evidence of conflicts concerning the traditional or cultural rights and land use of local communities. According to the Ministry of Environment and Forests there are 1582 local communities (associations of forest owners) possessing a total amount of 526042 ha of forests, after the restitution process in 2002-2005. These forest areas are managed only by authorized FMU (state or private) according with Gov. Order 139/2007.</p> <p>There are no conflicts which are under an process and reclaimed as inequitable.</p> <p>Romania ratified The World Cultural and Natural Heritage Convention (UNESCO, Paris, 16 November 1872) by Decree 187/1990.</p> <p>There are no conflicts related to traditional and cultural rights in the district. There are registered conflicts</p>	<p>LOW</p>

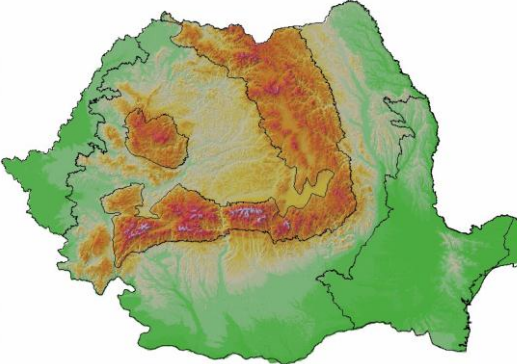


Requirements	Sources of information	Evidence	Risk
		<p>related only to private property (restitution process) of local communities, situation which is also covered by the Romanian legislation.</p> <p>The implementation of restitution laws (Law 18/ 1991; Law 1/2000 and Law 247/2005) sometimes led to unavoidable disputes. The number of disputes related to the first two laws has significantly decreased, while the implementation of Law 247 may lead to some other actions into Court when the restitution right is not clearly provided. Although the number of such actions may be smaller, the areas concerned may be larger (e.g. situation of the Romanian Orthodox Church Forest Fund)</p> <p>Law 247/2005 stipulates the restitution of all properties towards their former owners. The law includes mechanisms to solve potential disputes. Currently, the law is under implementation.</p>	
<p>2.5 There is no evidence of violation of the ILO Convention 169 on Indigenous and Tribal Peoples taking place in the forest areas in the district concerned.</p>	<p>N/A</p>	<p>Not applicable for Romania</p>	<p>LOW</p>



**3. Wood harvested in forests in which high conservation values are threatened by management activities
UNSPECIFIED**

Requirements	Sources of information	Evidence	Risk
<p>Category 3. The district of origin may be considered low risk in relation to threat to high conservation values if: a) indicator 3.1 is met; or b) indicator 3.2 eliminates (or greatly mitigates) the threat posed to the district of origin by non-compliance with 3.1.</p>			
<p>3.1 Forest management activities in the relevant level (eco-region, sub-eco-region, local) do not threaten eco-regionally significant high conservation values.</p>	<p>Eco-region definition and information: http://www.worldwildlife.org/science/ecoregions.cfm Map of potential High Risk Areas for illegal logging and HCVF in Romania developed by WWF DCPO http://www.certificareforestiera.ro/poze/Harta%20zone%20de%20risc%20si%20PVRC%20Romania.jpg Ministry of Environment http://www.mmediu.ro/protectia_naturii/protectia_naturii.htm Intact Forest Landscape http://www.intactforests.org/data.ifl.html Greenpeace study - Roadmap to recovery http://www.intactforests.org/pdf/publications/Greenpeace.World.IFL.2006.pdf WWF Global 200 Eco-regions http://wwf.panda.org/about_our_earth/ecoregions</p>	<p>Romania has on its territory important biodiversity values and threatened or endangered forest ecosystems. According to www.worldwildlife.org the following eco-regions are to be found on Romania's territory: Eco-region - PA 0504 - Carpathian Mountain Forests, PA 0404 - Balkan Mixed Forests, PA 0412 - Central European Mixed Forests, PA 0419 - East European Forest Steppe. Romania lies in the geographic centre of Europe and includes five of the ten biogeographic regions (BGR) officially recognized by the EU: alpine, continental, panonic, pontic (euxinic), and steppe.</p>	<p>UNSPECIFIED</p>

Requirements	Sources of information	Evidence	Risk
	https://www.eufor.eu/ons/europeanmed_montane_forests.cfm	 <p><i>Figure 4. Map of bio-geographic regions</i></p> <p>The Alpine bioregion (54,213.68 km²) includes 33 habitat types of EU importance (3,110.6 km²); the Continental bioregion (127,810.84 km²) includes 38 habitat types (3,247.86 km²); the Pannonic bioregion (14,345.84 km²) includes 16 habitat types (1,028.95 km²); the Pontic bioregion (1,798.58 km²) includes 23 habitat types (603.84 km²); the Steppic bioregion (40,147.65 km²) includes 18 habitat types (1,168.97 km²).</p> <p>In Romania, Greenpeace and the Romanian Research and Forest Management Planning Institute identified one Intact Forest Landscape covering the Retezat National Park in Hunedoara county and Valea Cernei-Domogled National Park, in Caras-Severin county.</p>	



Requirements	Sources of information	Evidence	Risk
		<p>According to WWF Global 200 Ecoregions, Romania is part of the Carpathian montane conifer forests (PA0504), which includes the Czech Republic, Poland, Romania, Slovakia, and Ukraine. The size of the eco-region is 125,000 square kilometres and in Romania the area is included in Retezat National Park and Valea Cernei Domogled National Park.</p> <p>According to a study conducted by the Romanian Research and Management Planning Institute, in Romania there are around 250,000 hectares of old growth forests.</p> <p><i>Because of existence of Intact Forest Landscape and WWF Global 200 area, Working Group consider that this indicator shall be unspecified. Not always legislation framework respond to the conservation requirements of HCVF's.</i></p> <p><i>Some important protected Areas even that there is a system in place for protection, are affected by illegal logging activities.</i></p> <p><i>As National RA Working Group consider that this indicator shall be unspecified.</i></p>	
<p>3.2 A strong system of protection (effective protected areas and legislation) is in place that ensures survival of the HCVs in the ecoregion.</p>	<p>European Protected Forest Areas http://bfw.ac.at/020/profor/pdf/country/coste27_Romania.pdf</p> <p>Convention on Biological Diversity Report for Romania [Convention on Biological Diversity Report for Romania]</p>	<p>There are 13 National Parks, 13 Natural Parks, 3 biosphere reserves, 617 nature reserves, 234 nature monuments and 55 scientific reserves. In 2007, an area of 13% of the Romanian territory was designated as part of EU Natura 2000 network of protected</p>	<p>UNSPECIFIED</p>



Requirements	Sources of information	Evidence	Risk
	<p>https://www.cbd.int/doc/world/ro/ro-nr-03-en.doc</p> <p>FSC National Initiative Romania www.certificareforestiera.ro</p> <p>Association for Forest Certification http://certificareforestiera.ro/pag/harta_risc.htm</p> <p>Ministry of Environment http://www.mmediu.ro/protectia_naturii/protectia_naturii.htm</p> <p>Natura 2000 Coalition-Map of National and Natural Parks http://www.natura2000.ro/resurse/harta/parcuri/</p> <p>Natura 2000 Coalition-Map of Natura 2000 sites http://www.natura2000.ro/resurse/harta/arii/</p> <p>Intact Forest Landscape http://www.intactforests.org/data.ifl.html</p> <p>GreenPeace study- Roadmap to recovery http://www.intactforests.org/pdf/publications/Greenpeace.World.IFL.2006.pdf</p> <p>Ecoregions WWF Global 200 http://wwf.panda.org/about_our_earth/ecoregions/europeanmed_montane_forests.cfm</p>	<p>areas, according to the Habitat and Bird Directives. Harvesting in core areas or sustainable development zones within protected areas is only done with the approval of the Protected Area management team and of the Agency for Environment Protection (Minister order 1798/2007).</p> <p>Ministerial Order 3397/2012 is in place and stipulates protection of all old growth forests in Romania with no logging activities in those areas.</p> <p>In 2006, WWF DCP Romania created a map representing preliminary assessment of HCVF's, categories 1,2 and 3 (see above, sub-category 2.1). It includes core areas of Natural and National Parks, and the Intact Forest Landscape identified by Greenpeace.</p> <p>A guide for HCVF identification was developed by WWF DCP Romania in 2012 ("Toolkit for HCVF Identification") which also includes management measures.</p> <p>All core areas in Natural and National Parks are protected through legislation and no logging activities should be allowed.</p> <p><i>Regarding Rule of Law, World Bank Indicators for Romania in 2011 it was 56:100 which is under 75%. Working Group declare based on this, indicator 3.2 as unspecified.</i></p> <p><i>Despite that in reality legislation exists not all</i></p>	



Requirements	Sources of information	Evidence	Risk
		<i>the time is applied and assure protection so Working Group consider that at National level risk shall be unspecified for this indicator.</i>	



4. Wood harvested from areas being converted from forests and other wooded ecosystems to plantations or non-forest uses **LOW**

Requirements	Sources of information	Evidence	Risk
<p>Category 4: The district of origin may be considered low risk in relation to conversion of forest to plantations or non-forest uses when the following indicator is present:</p>			
<p>4.1 There is no net loss AND no significant rate of loss (> 0.5% per year) of natural forests and other naturally wooded ecosystems such as savannahs taking place in the eco-region in question.</p>	<p>State of The World Forests Report for 2009, FAO,(Food and Agriculture report of the United Nations) http://www.fao.org/docrep/011/i0350e/i0350e00.htm Forest Code (Law 46/2008) http://www.maap.ro/pages/152/248.pdf National institute of Statistics: www.insee.ro</p>	<p>According to FAO report for 2009 (State of the World Forests) the forest area annual net increase was 0,1% in Romania. In 2010 the total forest increase was 0,3% and now is 6 515 000 hectares, representing 27,3% from Romania. In Romania the management of all forests (public or private) is done according to the Forest Code (Law 46/2008) The Forest Code contains a series of decisions regarding the conservation and increase of biodiversity in forests through their functional zones, by promoting species from natural types of forests in forest regeneration.</p>	<p>LOW</p>



5. Wood from forest management units in which genetically modified trees are planted

LOW

Requirements	Sources of information	Evidence	Risk
<p>Category 5: The district of origin may be considered low risk in relation to wood from genetically modified trees when one of the following indicators is complied with:</p>			
<p>a) There is no commercial use of genetically modified trees of the species concerned taking place in the country or district concerned.</p>	<p>FAO, 2004. Preliminary review of biotechnology in forestry, including genetic modification. Forest Genetic Resources Working Paper FGR/59E. Forest Resources Development Service, Forest Resources Division, Rome, Italy. Disponibil online:</p>	<p>Romania is low risk concerning the use of genetically modified trees. Forestation is done mainly with indigenous species according to Management Plan keeping the natural composition of forest. Is not allow to use of GMO trees according to Romanian legislation.</p>	<p>LOW</p>
<p>b) Licenses are required for commercial use of genetically modified trees and there are no licenses for commercial use.</p>	<p>http://www.fao.org/docrep/008/ae574e/AE574E00.HTM</p>	<p>At the level of European Union there is 1999/105/CE Directive from 22.12.1998 regarding trading forest reproduction. According to Romanian legislation, the use of GMO is not allowed. This European Directive is adapted in Romanian legislation (Law no. 107/2011)</p>	
<p>c) It is forbidden to use genetically modified trees commercially in the country concerned.</p>	<p>Ministry of Environment and Forests - legislation concerning the biosecurity and GMO http://www.mmediu.ro/legislatie/bioscuritate.htm</p>	<p>In Romania there are some regulations regarding seeds and commerce with seedlings from nursery: Government Emergency Decision no. 43/2007 and approved by Law 247/2009 regarding introduction of GMO. Minister Order no. 945/2012 regarding the approval of the National Catalogue of Forest Genetic resources and Technical Guideline for their sustainable management Minister Order no. 1028/2010 regarding the approval</p>	



Requirements	Sources of information	Evidence	Risk
		<p>of sourcing regions for Forest Reproductive Materials.</p> <p>At present, there is no strategy for bio-security, especially related to the use of genetically modified organisms (GMOs), although there is a regulating system for GMOs beginning with 2000.</p> <p>According to Global Forest Registry for Controlled Wood and according to the latest available FAO study ("Preliminary review of biotechnology in forestry, including genetic modification", 2004) there is no commercial usage of any GM trees in the country.</p>	