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**To:**

*The Representation of the European Commission in Romania;  
Delegation of the European Commission responsible for the European Semester and Country-Specific Recommendations*

**Ref:** *Discussions of 20 January 2026; European Semester; Country-Specific Recommendations (CSRs)*

**1. Concerns regarding Romania's Minister of Environment, Waters, and Forests public declaration on the 3<sup>rd</sup> Dec. 2025**

Statements made during the public debate suggested that Romania's target of allocating **10% of its national territory to strictly protected areas** should be interpreted as a mere recommendation. Such an interpretation directly undermines ongoing and future processes for the identification of strictly protected areas, including contracts currently under implementation. Sources have suggested that after the declaration, various local authorities backed off from their initial agreement to include areas into strict protection. This position contradicts Romania's formal commitments undertaken through the National Recovery and Resilience Plan (NRRP)—where the 10% target is an explicit conditionality—as well as through the 2021 Government Programme.

**2. Summary of recent Concerns Regarding Emergency Ordinance No. 57/200, Regulating Protected Areas and transposing EU Directives (including ongoing drafts)**

The last version of the draft ordinance, in its current form, significantly limits Romania's capacity to achieve the 10% strict protection target by proposing an excessively restrictive definition of "areas for strict biodiversity preservation." The definition relies almost exclusively on the presence of natural processes, excluding **semi-natural habitats of high conservation value**, which are explicitly recognized as eligible under European Commission guidance. As a result, the proposed legal definition renders the achievement of the 10% target practically unfeasible in the current national context. This approach is inconsistent with Commission guidance, which explicitly states that strictly protected areas may also include sites where active management sustains or enhances natural processes, such as semi-natural grasslands or certain peatlands.

The last proposed amendments fail to establish a legal framework that enables an integrated socio-ecological approach, taking into account land ownership regimes and social realities. Romania possesses a combination of strictly natural areas (including national parks, scientific reserves, and primary and old-growth forests) alongside strategically important semi-natural ecosystems. Together, these could enable the



achievement of the 10% strict protection target without negatively affecting local community development or sustainable resource use.

Furthermore, an adequate legal framework should allow the state **to implement effective compensation mechanisms for private landowners, including land acquisition, land swaps, or other compensatory measures, in line with European best practices**. Except compensations for forest land owners (delayed), all other mechanisms are blocked, with basically no compensations for Natura 2000 sites with respect to grasslands and habitats. (Chapter 10 for more information).

### **3. Institutional Barriers to NGO Involvement in the Administration of Protected Areas in Romania**

A persistent and structural governance issue in Romania concerns the **continued exclusion of non-governmental organizations (NGOs) from the direct administration of protected areas**, despite their proven capacity and past involvement prior to 2018. This situation has persisted for nearly a decade and represents a significant missed opportunity for effective conservation, capacity building, and the mobilization of external funding. Before 2018, NGOs were legally permitted to administer protected areas and played an active role in conservation management, monitoring, stakeholder engagement, and fundraising. Since the legislative changes introduced thereafter, NGOs are no longer allowed to directly administer protected areas, regardless of their expertise, track record, or access to international funding mechanisms. As a result, Romania has forfeited the opportunity to attract **millions of euros in external conservation funding**, including EU and international grants that NGOs are structurally better positioned to access and manage.

With the exception of national and natural parks and sites like the Danube Biosphere Reserve, **the vast majority of protected areas are currently placed under the administration of the National Agency for Protected Areas (ANMAP)**. This institutional arrangement has led to the widespread phenomenon of so-called “**paper parks**”, where protected areas exist formally but lack effective management, on-the-ground conservation actions, monitoring, or stakeholder engagement.

ANMAP is widely recognized as being **chronically understaffed, underfinanced, and lacking sufficient professional and technical capacity** to manage the full spectrum of protected areas under its responsibility. Moreover, the current institutional setup places ANMAP in a **systemic conflict of interest**, as the agency simultaneously:

- acts as administrator of protected areas,
- proposes management plans,
- approves its own management plans,



- and issues regulatory approvals (*avize*) for activities that directly concern areas under its own administration.

This concentration of roles undermines transparency, independent evaluation, and good governance principles, and is incompatible with best practices in protected area management at EU level.

From a governance perspective, ANMAP should function primarily as a **regulatory, evaluation, and scientific coordination authority**, responsible for setting standards, assessing performance, and ensuring compliance. **Direct administration of protected areas by ANMAP should be limited to exceptional cases**, where no other qualified public or non-governmental administrator exists or where interim administration is strictly necessary.

Re-enabling NGOs to directly administer protected areas—under clear accreditation criteria, performance indicators, and oversight mechanisms—would significantly strengthen Romania’s capacity to implement EU biodiversity objectives, reduce administrative bottlenecks, improve conservation outcomes, and align national governance with European best practices.

#### **4. Deficiencies in Transparency, Public Consultation Practices and other potential conflicts of interests.**

Significant deficiencies persist in Romania regarding transparency and the quality of public consultation in environmental policy-making, particularly within the Ministry of Environment. In practice, so-called public consultations are frequently conducted as **formal or symbolic exercises**, taking place only after draft legislation has already been finalized. Such consultations typically allow participants only minimal speaking time (often limited to approximately two minutes), without meaningful opportunities for dialogue, technical discussion, or substantive influence on policy outcomes.

This approach undermines the principles of participatory governance, transparency, and informed decision-making, and does not meet the standards of genuine public consultation expected under EU good governance practices. Meaningful stakeholder engagement should occur **at early stages of strategic and legislative development**, rather than as a procedural formality once political or administrative decisions have already been taken. Romania should undertake stronger efforts to improve the quality and credibility of public consultation processes by establishing **structured working groups**, ensuring adequate consultation timelines, and actively inviting **recognized stakeholders with demonstrated expertise**, including civil society organizations, academic institutions, and practitioners. Early-stage involvement would significantly improve policy coherence, legal robustness, and implementation effectiveness. Such involvement should take the



form of structured working processes focused on co-design and testing of measures against real management scenarios, rather than one-off formal consultations.

A practical way to address this gap would be to establish permanent cross-sector working formats involving the Ministry of Agriculture and Rural Development, the Ministry of Environment, Waters and Forests, conservation NGOs, and other main stakeholders, so that policies and support measures are discussed and co-designed early, rather than consulted on only after decisions are taken. Notably, positive examples of structured and inclusive consultation have been observed in certain forestry regulatory processes, where working groups and expert-level dialogue contributed to more balanced and technically sound outcomes. However, such approaches have not been systematically applied in the field of environmental and nature conservation legislation, where they are equally—if not more—necessary.

The current consultation practices risk eroding public trust, weakening policy quality, and increasing the likelihood of legal challenges and non-compliance with EU environmental governance standards.

An additional systemic weakness concerns the **structural conflict of interest in Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) procedures**. In Romania, project developers are allowed to **select and directly remunerate the consultants or companies** responsible for preparing EIA and AA studies. This arrangement inherently compromises the independence and impartiality of environmental assessments, as consultants are financially dependent on the approval of the very projects they are mandated to evaluate. The absence of a neutral allocation mechanism or independent commissioning system undermines the credibility, scientific objectivity, and legal robustness of assessments, increases the risk of biased conclusions, and weakens effective protection under EU environmental law, particularly in sensitive areas such as Natura 2000 sites.

## **5. Transparency and Digitalization Deficits in Environmental and Spatial Data Governance**

Romania continues to face serious shortcomings in transparency and digitalization concerning environmental and spatial data, particularly with regard to protected areas and other strategic conservation-related domains. Despite long-standing obligations under the INSPIRE Directive, public authorities have failed to provide an accessible, coherent, and reliable system for visualizing, downloading, and verifying geospatial data related to protected areas.



At present, there is **no publicly available, official user-friendly platform** allowing stakeholders to access authoritative geospatial data on protected areas, including:

- official geographical boundaries;
- protected area designation and type;
- IUCN management category;
- administration and governance arrangements;
- approved management plans and regulations;
- internal zoning (*zonation*), such as strictly protected zones, buffer zones, or sustainable use/management areas;
- applicable restrictions and rules.

In this context, it is also essential to formally recognise and integrate spatial and biodiversity data produced by NGOs and research institutions, which in many cases are more detailed and ecologically accurate than aggregated national datasets currently used for policy design. Over-reliance on aggregated national statistics alone is insufficient for biodiversity-related decision-making.

Equally critical is the **absence of a public historical archive of GIS data**. Protected area boundaries and designations are subject to change over time through new legal acts, corrections, or reclassifications. Without a publicly accessible versioned history of spatial datasets, it is impossible to establish the legally applicable boundaries at a given moment in time, creating serious risks for legal certainty, enforcement, compliance assessment, and administrative decision-making. This deficiency directly contradicts INSPIRE principles on traceability, metadata, and legal reliability.

Previous attempts to address these issues—such as the initiative to consolidate protected area boundaries at national level—have revealed systemic vulnerabilities, including the use of unstable web links in normative acts, non-functional data portals, lack of metadata, and the inability to verify or track legally relevant spatial changes over time

As a result, Romania remains exposed to legal disputes, governance failures, and potential non-compliance with EU spatial data requirements. Beyond protected areas, similar transparency and data quality issues affect **other high-interest and strategic domains**, including large carnivore management, bear interventions, and hunting activities. While a public database has been nominally established following Emergency Ordinance No. 81 on bear interventions, its practical utility is severely limited due to **incomplete, inconsistent, or erroneous data**, undermining both public trust and evidence-based policy-making.

Overall, Romania has yet to implement a **functional, integrated, and transparent environmental data infrastructure** that allows citizens, authorities, and stakeholders to



access authoritative spatial data, track legal and administrative changes over time, and support informed decision-making. This structural deficit weakens environmental governance, obstructs public participation, and undermines the effective implementation of EU biodiversity and environmental policies.

An additional and particularly serious transparency concern relates to a recent national genetic study on the brown bear population, financed with public funds and co-financed by the EU. Despite the public interest and policy relevance of the study, both the Ministry of Environment and the study provider, Institutul Național de Cercetare-Dezvoltare în Silvicultură „Marin Drăcea”, have refused to disclose the underlying data used in the analysis. Requests for access to datasets, methodologies, and primary genetic data have been rejected on the grounds of alleged copyright protection. This position is incompatible with EU principles on transparency, open data, and public accountability, particularly where studies financed from public and EU funds are used to justify major policy decisions, including hunting quotas and species management measures. The lack of access to primary data prevents independent scientific verification, undermines trust in evidence-based policymaking, and contradicts good governance standards applicable to publicly funded research.

## 6. Bear Management and Human–Bear Conflicts: Systemic Non-Compliance with the Habitats Directive

Romania’s current approach to brown bear (*Ursus arctos*) management raises serious concerns regarding compliance with the **Habitats Directive (92/43/EEC)**, particularly Article 16 on derogations. The existing regulatory framework does not prioritise human safety through prevention and risk mitigation, but instead creates conditions for **masked trophy hunting**, justified under the broad and improper use of collective derogations.

### Failure to Prioritise Prevention and Risk Mitigation

Human–bear conflicts in Romania are addressed predominantly through reactive lethal measures rather than systematic prevention. Preventive measures in conflict hotspots—such as waste management, electric fencing, deterrents, and community-based early warning systems—are **not implemented at scale**, despite clear evidence of effectiveness. Experimental prevention projects (e.g. in Tușnad) demonstrated a **reduction of bear-related damages to zero** and a drastic decrease in incidents, yet such approaches have not been institutionalised or prioritised in national policy.

This failure directly contradicts the Habitats Directive requirement that **lethal interventions must be a last resort**, used only after all satisfactory non-lethal alternatives have been exhausted.



### **Creation of a Parallel Legal Regime Enabling Masked Trophy Hunting**

Although Emergency Ordinance No. 81 was initially justified as a mechanism for rapid intervention in emergency situations, its subsequent amendment through Law No. 242/2024 fundamentally altered its purpose. The amended framework introduced a so-called “**prevention quota**”, allocated annually and implemented primarily by hunting associations.

In practice, this quota is **not linked to individual problem bears or conflict situations**, but is instead used to target **trophy bears**, often for significant financial gain. Bears that have no history of habituation or conflict are hunted under the guise of prevention, while the actual drivers of human–bear conflicts remain unaddressed.

As a result, Romania has effectively abandoned the legal framework transposing Article 16 of the Habitats Directive (Article 38 of GEO No. 57/2007) and replaced it with a parallel legislative regime that does not properly transpose EU law. The collective derogation mechanism established by GEO 81, as amended, enables **systematic trophy hunting** of a strictly protected species under the umbrella of damage prevention and public safety, without meeting the Directive’s strict conditions.

### **Absence of Individual Derogations and Conservation Safeguards**

The current system no longer relies on individual, reasoned administrative derogation acts, as required by the Habitats Directive. Instead, lethal interventions are carried out through administrative operations based on predefined quotas, without case-by-case assessment. Moreover:

- interventions initiated by mayors do not involve the national authority responsible for strict species protection (Ministry of Environment);
- there is no legally defined maximum ceiling for the total number of derogations;
- no mechanism exists to assess whether cumulative interventions affect the favourable conservation status of the species, a mandatory condition under Article 16.

This constitutes a structural violation of EU law, as the Directive requires Member States to demonstrate, for each derogation, that the conservation status of the species is not adversely affected.

### **Misuse of “Urgency” Argument**

In genuinely life-threatening situations, **Romanian law already allows immediate action without prior derogation**, consistent with general principles of necessity and self-defence. Therefore, the argument that individual derogations are too bureaucratic to ensure public safety is unfounded and cannot justify the replacement of individual assessments with collective quotas.



### **Lack of Effective EU-Level Oversight**

Despite repeated concerns raised regarding the compatibility of Romania's bear management legislation with the Habitats Directive, the European Commission has responded that potential infringements should be addressed at national level, without providing substantive guidance or support. This lack of effective oversight has contributed to the entrenchment of a non-compliant system that prioritises hunting interests over prevention, legality, and conservation outcomes.

### **Institutional Pressure, Intimidation, and Strategic Litigation (SLAPP) Related to Brown Bear Conservation**

An additional and serious concern relates to the **institutional pressure exerted by public authorities and aligned interest groups** in the context of brown bear (*Ursus arctos*) conservation in Romania. High-level officials, including representatives of the Ministry of Environment, ministry staff, and hunting associations, have repeatedly promoted or endorsed **threats to seek the downgrading of the brown bear's protection status from Annex IV to Annex V of the Habitats Directive**. This practice functions as a form of political and institutional blackmail, used to discourage legal scrutiny, civil society action, and enforcement of strict protection obligations under EU law.

Such threats are not grounded in a rigorous scientific reassessment of the species' conservation status at biogeographical level, as required by the Directive, but are instead employed as leverage in domestic policy debates to justify increased lethal interventions and to silence opposition to hunting-based approaches.

Furthermore, there are **credible and documented cases of Strategic Lawsuits Against Public Participation (SLAPP)** targeting environmental NGOs active in defending EU nature legislation. In a particularly unprecedented legal action, the Ministry of Environment initiated court proceedings seeking to hold an NGO **jointly liable with the Romanian state for compensation owed to victims of bear-related damages**, solely on the grounds that the NGO had pursued lawful judicial actions that challenged bear hunting practices. The underlying argument—that by opposing hunting, the NGO directly caused bear damages—represents a profound distortion of legal causality and a direct attack on the legitimate exercise of access to justice.

These practices create a chilling effect on civil society participation, undermine the rule of law, and are incompatible with EU principles on access to justice, good governance, and the protection of environmental defenders. They further contribute to an atmosphere in which compliance with the Habitats Directive is weakened through pressure, intimidation, and the delegitimisation of lawful legal oversight.



## 7. Summary of Concerns Regarding Draft Law L327/2025 (PLx 216/2025) – Restriction of Effective Judicial Protection in Environmental Matters

Draft Law **L327/2025 (PLx 216/2025)**, already adopted by the Chamber of Deputies as the first notified chamber, raises serious concerns regarding the rule of law, access to justice, and environmental protection, and should be rejected in its current form.

The legislative proposal renders **inoperative the immediate enforceability of first-instance court decisions suspending administrative acts**, specifically ministerial orders establishing hunting, harvesting, or so-called “prevention” quotas for wild animal species, including species protected under EU law (notably the Habitats Directive 92/43/EEC and the Birds Directive 2009/147/EC).

By postponing the effects of suspension decisions until they become final, the proposal empties the suspension remedy of its substance. In environmental matters, interim suspension is often the only effective judicial instrument capable of preventing irreversible environmental damage, as contested administrative acts continue to produce effects during lengthy appeal procedures.

The draft law violates fundamental principles of EU and international law, including:

- Article 47 of the EU Charter of Fundamental Rights (right to an effective remedy),
- Articles 2 and 19(1) TEU (rule of law and effective judicial protection),
- Article 9(4) of the Aarhus Convention (access to effective interim remedies).

It also contradicts multiple provisions of the Romanian Constitution and the European Convention on Human Rights, and is not aligned with Government Emergency Ordinance No. 195/2005 on environmental protection.

Substantively, the proposal introduces a derogation from Articles 14 and 15 of Law No. 554/2004 on administrative litigation, creating a form of temporary immunity for certain administrative acts issued by public authorities. This weakens judicial oversight over the administration, disrupts the balance of powers, and undermines environmental rule-of-law safeguards.

In practical terms, the proposal would allow hunting or extraction activities—including those affecting strictly protected species such as the brown bear (*Ursus arctos*)—to proceed despite a court’s finding, at first instance, that the underlying administrative act is unlawful.

Overall, Draft Law L327/2025 represents a systemic regression in access to justice in environmental matters, incompatible with EU legal standards and international obligations, and risks facilitating irreversible environmental harm by neutralising effective judicial control over administrative decision-making.

## 8. Excessive Bureaucratic Barriers to Biodiversity Monitoring and Scientific Surveys



The effectiveness of biodiversity monitoring and ecological assessment in Romania is significantly undermined by **excessive and fragmented administrative requirements** for obtaining permits to collect biological samples or conduct standard conservation surveys. Activities essential for the evaluation of aquatic and terrestrial ecosystems—such as the collection of fish samples for ecological status assessments, electrofishing surveys, or bird ringing—require multiple permits issued by different authorities.

These authorisation procedures are not only complex and restrictive, but also **extremely time-consuming**, frequently extending beyond the duration of the research projects themselves. As a result, surveys are often delayed or rendered impossible, despite being urgently needed to address critical data gaps in conservation and environmental management.

This situation disproportionately affects scientific institutions, NGOs, and practitioners engaged in conservation monitoring, further limiting already scarce and insufficient biodiversity data. Reducing administrative burdens, streamlining permitting procedures, and introducing clear, proportionate, and time-bound authorisation mechanisms would significantly improve Romania's capacity to monitor ecosystems effectively and to meet its national and EU biodiversity monitoring obligations.

## **9. Absence of Statutory Ecological Value for Protected Species and Its Impact on Law Enforcement**

A significant structural weakness in Romania's nature protection framework is the absence of a statutory ecological (conservation) value assigned to wild species—both fauna and flora—within the primary legislation on nature conservation. This gap severely limits the ability of authorities to effectively apply the law and impose proportionate sanctions in cases of deliberate killing, poisoning, or destruction of protected species. In practice, when a protected animal is intentionally killed or a protected plant is destroyed, enforcement bodies face major difficulties in establishing material damage and quantifying harm. As a result, sanctions are often reduced to minor administrative fines or procedural penalties, which do not reflect the gravity of biodiversity loss nor act as a deterrent. This situation undermines the preventive and punitive function of environmental law, especially in cases involving rare, endangered, or strictly protected species. A partial and inconsistent approach exists in Romania's hunting legislation, where certain species are assigned a monetary value for compensation purposes. However, this mechanism excludes the majority of protected species (e.g. part of the bird species, amphibians, reptiles, plants).

Introducing a comprehensive system of ecological valuation for protected species in Romanian law would enable more effective prosecution of biodiversity crimes, support



proportional and dissuasive sanctions and reinforce the recognition of biodiversity as a public interest and strategic asset.

Without such a legal mechanism, the deliberate destruction of protected species risks remaining systematically under-sanctioned, contributing to biodiversity decline and weakening the credibility of nature protection legislation.

## **10. Grasslands degradation**

Unfortunately, there is a nationwide trend towards the disappearance and degradation of Romanian grasslands, despite the fact that one of the conditions for joining the European Union was to preserve the proportion of grasslands in the country. The reasons for this phenomenon include the following: the implementation of development projects (e.g., expansion of residential areas, infrastructure projects), afforestation on grasslands, the conversion of grasslands to arable land (with unclear land usage categories), overgrazing (e.g., poor grazing management plans, lack of control) but in the same time elsewhere undergrazing (and the resulting scrub encroachment), deterioration of grasslands' water management (drainage systems, climate change), etc. Other factors contribute to this, which are explained under other points (e.g., inadequate environmental licensing procedures and conflicts of interest, lack of proper management of protected areas, etc.). At a time when, according to the provisions and guidelines of the Nature Restoration Law, the Romanian state should be working on how to restore degraded habitats, it is continuously contributing to the reduction and degradation of natural and semi-natural grasslands.

## **11. Biodiversity as a Foundation for National Development: Institutional and Financial Governance Failures in Romania**

### **I. Premise: Biodiversity as a Strategic National Asset**

Romania's natural capital represents a strategic national resource, providing essential ecosystem services ranging from climate regulation and water purification to direct support for economic activities and human well-being. Despite its importance, biodiversity conservation in Romania is affected by a chronic lack of institutional initiative and a progressive erosion of administrative capacity, placing at risk the effective protection and management of over 25% of the national territory designated as protected areas.

### **II. Double Standards in Institutional Reform and Human Resources Management**

Meritocracy is a core principle of good governance. However, institutional reform within the Ministry of Environment, Waters and Forests has been applied in a fragmented and inconsistent manner.



- Positive model: In sectors such as the National Forest Administration (RNP) and the National Administration Apele Române (ANAR), recruitment and leadership appointments have been based on transparent public competitions, written examinations, public interviews, and mandate-based management contracts with performance indicators.
- Institutional vulnerability: These standards have not been applied consistently to the National Agency for Environment and Protected Areas (ANMAP) or to key technical directorates within the Ministry. Over the past decade, leadership positions have been predominantly filled through temporary appointments or secondments, often driven by political or administrative expediency rather than open competitive procedures.
- Impact on expertise: This practice demotivates career professionals, weakens institutional memory, and shifts biodiversity governance toward administrative control rather than results-oriented conservation objectives.

### III. Institutional Failure in EU Funds Absorption and Financial Management

The absence of leadership selected on the basis of technical competence is directly reflected in poor financial performance:

- **Missed PNRR opportunities:** Out of **EUR 370 million** allocated to biodiversity under the National Recovery and Resilience Plan (PNRR), only **around 5%** has been absorbed. While failures in other sectors triggered corrective actions, underperformance in biodiversity management has remained **largely unsanctioned**.
- **Blocking of PDD funding:** The failure to access pre-allocated projects under the Sustainable Development Programme (PDD) has deprived protected areas of essential resources and has blocked funds that could have been redirected to other eligible beneficiaries.
- **Systemic underuse of the Environmental Fund:** Although national strategies require that **20% of the Environmental Fund budget** be allocated to biodiversity, actual expenditure over the last decade has remained **below 0.2%**. This reflects a failure to apply the **“polluter pays” principle** and to align funding allocations with the real environmental impacts borne by ecosystems and protected areas. This structural under-allocation has resulted in severe and persistent underfunding of biodiversity conservation in Romania. Many protected areas continue to lack approved management plans, while in the majority of cases where such plans exist, **no financial resources are available for their implementation**, rendering them largely ineffective. The discrepancy between policy commitments and actual financial allocations undermines Romania’s capacity to manage its protected area network, comply with EU biodiversity obligations, and maintain the ecosystem services provided by natural capital.



- Moreover, a significant portion of the Environmental Fund's financial resources is redirected toward national projects that directly contradict environmental conservation objectives, such as the development of municipal gas distribution networks or even the reallocation of funds to other ministries that have no mandate or role in environmental protection.

#### IV. Discrepancies in Conservation and Compensation Policies

Romania's conservation policy framework is characterized by significant internal inconsistencies:

- **Unpaid compensations:** Landowners in protected forest categories (T1 and T2) have not received legally mandated compensations for more than two years, while large-scale afforestation programmes using non-native species (e.g. black locust) continue to receive substantial funding. This disparity undermines public trust in environmental policies.
- **Strictly Protected Areas (SPA/ZPS):** Although the establishment of strictly protected areas has been formally committed under the EU Biodiversity Strategy for 2030, implementation is systematically delayed due to the alleged lack of funding, despite the **Environmental Fund Administration (AFM)** representing a viable and sustainable financing source.

#### V. Requests and Priority Actions

The signatories call on the competent authorities (Ministry of Environment, Government, Presidency) to urgently implement the following measures:

1. **Standardisation of recruitment procedures:** All technical and managerial positions within ANMAP and Ministry directorates should be filled exclusively through open, transparent, and competitive recruitment processes.
2. **Reform of Environmental Fund policy:** Allocate a fair and proportionate share of the Environmental Fund to biodiversity conservation measures and compensation schemes, consistent with ecosystem service values.
3. **Administrative accountability:** Conduct objective evaluations of failures in EU fund absorption and apply corrective measures to prevent future funding losses.

#### Conclusion

Without competent leadership selected on the basis of merit, expertise, and long-term vision, biodiversity conservation in Romania risks remaining a **purely formal exercise**, with irreversible consequences for natural capital, ecosystem services, and future generations. Structural governance reform is therefore a prerequisite for any meaningful progress in nature conservation.



## 12. The Need for a Professional and Structured Reform Dialogue on RNP–Romsilva based on the recommendations of "Grupul pentru Dialog Forestier" Initiative

A sustainable reform of the **National Forest Administration – Romsilva** requires a **professional, structured, and inclusive dialogue**, grounded in sector realities, European best practices, and the expertise already present within the organisation. Previous experiences—most notably the development of the National Forestry Strategy 2030 and the Forest Code—demonstrate that structured stakeholder consultation can lead to robust and broadly supported public policies.

While acknowledging the legitimacy of the central authority's reform initiative and the professionalism of the majority of Romsilva's employees, it is essential that reform efforts address **systemic root causes**, rather than focusing narrowly on short-term cost reductions. Romsilva currently faces modest economic performance and a deteriorated public image, driven by perceptions of excessive expenditures, transparency deficits, and corruption risks. Although measures aimed at reducing salary costs and management positions are understandable, such actions alone—absent a deeper structural reform—risk producing limited and reversible outcomes.

### Institutional Roles and Governance Balance

The central authority should primarily act as a **regulator and strategic coordinator**, while allowing Romsilva's Board of Directors and executive management to exercise their responsibilities **professionally and autonomously**, in line with governance models applied by comparable public forest organisations in other EU Member States. Decision-making that is not supported by adequate data, instruments, and institutional clarity risks inefficiency and policy failure.

### Organisational Reform Priorities

Key organisational measures for a durable reform include:

- **Urgent appointment of a competent Board of Directors**, composed of professionals with relevant sector expertise, capable of translating ministerial strategic objectives into operational reforms in cooperation with Romsilva's internal specialists. The recent experience of drafting Romsilva's Development Strategy 2030 confirms the existence of substantial internal expertise that should be fully leveraged.
- **Modernisation of the organisational structure**, revisiting the current three-tier system (central–regional–local) not merely through numerical downsizing, but by clearly defining responsibilities at each level to eliminate overlaps that generate inefficiency, conflict, and accountability gaps.



## Public Mandate of RNP–Romsilva

Romsilva's primary role should remain that of **administrator of state-owned forests**, ensuring the consistent and lawful implementation of forest management plans (*amenajamente silvice*). Performance evaluation should be centred on the proper execution of all silvicultural works foreseen in these plans—regeneration, tending, treatments, conservation, and protection—rather than on the market value of harvested timber. Timber should be understood as a by-product of legally mandated silvicultural interventions, not as a driver of management decisions.

This requires:

- a **transparent and public monitoring system** for forest management plan implementation, supported by performance indicators and independent audits;
- a clear focus of forest districts (*ocoale silvice*) on public functions—plan implementation, forest protection, and monitoring—with minimal involvement in commercial exploitation;
- a **reform of forest guarding**, through a modern, centralised, and institutionalised protection system that shifts responsibility from individual liability to institutional accountability, improving effectiveness and staff safety.

## Commercial Activities and Financial Transparency

To improve efficiency and transparency, Romsilva should:

- establish a **professional commercial division** at central and regional level, responsible for timber marketing, outsourcing harvesting services, revenue collection, and relations with the forest-based industry, in line with European best practices;
- ensure **flexibility and predictability in timber valorisation**, supported by an adequate legislative framework that allows adaptation to market dynamics and climate-related disruptions;
- implement a **clear financing system** that distinctly separates public-service functions (forest management obligations) from commercial activities, ensuring transparency and financial responsibility;
- objectively assess and discontinue or externalise **non-performing ancillary activities** that do not add value.



## Conclusion

The challenges faced by RNP–Romsilva do not stem from the organisation as a whole, but from the absence of a coherent strategic framework and consistent leadership. Reform efforts should preserve and valorise existing human capital and avoid externally imposed solutions developed without meaningful involvement of Romsilva’s professionals. A medium-term, strategic reform process—based on internal expertise and structured stakeholder dialogue—offers the opportunity to consolidate Romsilva as a **European benchmark for sustainable forest management**, serving both public interest and long-term environmental objectives.

### 13. Final Recommendation: Strengthening Institutional Integrity, Capacity, and Accountability in Nature Conservation Governance

A core structural weakness in Romania’s environmental governance system is the persistent politicisation of leadership appointments within institutions responsible for biodiversity conservation, forestry, and environmental enforcement. Despite long-standing deficiencies in performance, there are no systematic efforts to reduce political appointments of directors or senior managers, nor to ensure merit-based, transparent, and competitive recruitment processes.

In parallel, Romania lacks objective and standardised systems for assessing management effectiveness across protected area administrations and key environmental authorities, including the National Agency for Protected Areas (ANMAP), the Forest Guard (*Garda Forestieră*), and the Environmental Guard (*Garda de Mediu*). The absence of performance indicators, regular evaluations, and public reporting prevents accountability, masks systemic failures, and limits the ability to identify and replicate good practices.

Furthermore, there is a critical lack of investment in conservation capacity building. Public institutions do not implement structured programmes for professional training, skills development, innovation, or continuous professionalisation in biodiversity management, forestry, ecological restoration, enforcement, or monitoring. As a result, institutional knowledge stagnates, staff motivation declines, and Romania’s ability to meet increasingly complex EU environmental obligations remains weak.

To address these systemic shortcomings, Romania should:

- introduce merit-based appointment systems with clear eligibility criteria and public selection procedures;
- establish mandatory management effectiveness tracking frameworks for protected areas and environmental authorities, aligned with EU best practices;



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- invest in continuous professional training and innovation, including partnerships with academia, NGOs, and international programmes;
- support the professionalisation of conservation and environmental management as a distinct and strategic public sector domain.

Without these reforms, improvements in legislation, funding, or policy objectives will remain largely ineffective, as institutional capacity and governance quality are the determining factors for successful implementation.

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