



FOREST RESTORATION POLICY IN ROMANIA

POLICY COHERENCE ACROSS FOREST-RELATED POLICY AREAS AND POLITICAL LEVELS



SUPERB
Upscaling Forest Restoration



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Contents

| | |
|--|---|
| EXECUTIVE SUMMARY | 3 |
| HORIZONTAL FOREST RESTORATION POLICY COHERENCE IN ROMANIA | 4 |
| VERTICAL FOREST RESTORATION POLICY COHERENCE | 6 |
| KEY FINDINGS | 8 |
| RECOMMENDATIONS | 8 |



EXECUTIVE SUMMARY

Forest policy in Europe operates within a complex, multi-sectoral and multi-level policy framework. To effectively implement and scale up forest restoration efforts—such as those outlined in the EU Nature Restoration Law (EU-NRL)—achieving a certain level of coherence across forest-related policy areas (e.g., nature conservation, climate, agriculture, and rural development) and political levels (EU and national/subnational) is essential.

As part of the EU Horizon 2020 SUPERB project, Task 5.1 of Work Package 5 offers valuable insights into the issue of forest restoration policy coherence. Specifically, it examines coherence at the national level across forest-related policy areas (horizontal coherence) and across national and EU levels (vertical coherence). The analysis of horizontal coherence is based on a survey of national forest policy experts in the relevant countries, while the vertical coherence analysis involves a detailed review of EU forest restoration policies and regulations, as well as national forest regulatory frameworks.

This report provides a brief overview of the key findings for **Romania**, whose remaining old-growth forest have increasingly come into focus of EU environmental policy.



HORIZONTAL FOREST RESTORATION POLICY COHERENCE IN ROMANIA

The Romanian Forestry Code of 1996, last amended in 2022, encompasses several policy goals related to restoration. These include promoting practices that ensure sustainable forest management, increasing forest area, preserving fundamental natural types of forests and their biological diversity, and developing stable long-term forest policies, among others. To achieve these objectives, the law regulates various practices relevant to forest restoration and biodiversity. For instance, it restricts clear-cutting to stands of spruce with even-aged and relatively even-aged structure, pine, European poplar, selected willow, and cases of stand replacement or restoration where no other treatment is possible. Clear-cut areas are limited to 3 ha, with the exception of stands of European poplar and selected willow in dammed enclosures that require mechanized land preparation, in which case the area should not exceed 5 ha. The law also mandates the regeneration and reforestation of felled sites within two years of the final clearcutting and prescribes management practices that promote the natural regeneration of species in accordance with close-to-nature forest management principles.

The management of protected forest areas in Romania is governed by the Protected Areas Law (49/2011). It recognizes the conservation and sustainable use of the natural heritage as a matter of major public interest and a fundamental component of the national strategy for sustainable development. The law further specifies the development of management plans for protected areas based on continuous monitoring mechanisms.

In recent years, the Romanian government has taken steps to align national policy initiatives with EU policies. For example, Romania's National Recovery and Resilience Plan, approved by the EU Council in 2021, provides a roadmap for reforming the protected area management system to enable a coherent and effective implementation of the EU Biodiversity Strategy for 2030, thereby enhancing biodiversity through improved connectivity. Additionally, through the adoption of the National Forest Strategy 2030 in 2020, the national government aims to promote the sustainable management of forests by implementing timber tracking mechanisms to combat illegal or unauthorized logging activities. However, illegal logging activities in certain parts of the country continue to pose a significant threat to its unique virgin forests and their biodiversity. In fact, non-compliance with EU legislation on illegal logging, such as that prescribed in the former EU Timber Regulation (Regulation (EU) No 995/2010) and the newly adopted Deforestation-Free



Products Regulation (EUDR) in 2023, has resulted in renewed concerns about the limited capacity of the EU Commission to ensure the implementation of EU legislation in Member States. In response, as part of the European Forest Strategy for 2030, the Commission published Guidelines for Defining, Mapping, Monitoring, and Strictly Protecting EU Primary and Old-Growth Forests in March 2023, which outline concrete measures to strengthen the protection of old-growth forests and the remaining primary forests within the EU.

Table 1: Key forest restoration policies and legislation in Romania.

| Name | Year of adoption | Entry into force | URL |
|---|------------------|------------------|---|
| Law nr. 46/2008 (Forest Code), (Lege nr. 46/2008 - Codul Silvic al Romaniei), Published in Monitorul Oficial, Partea I, nr. 238/27.03.2008, last amended in 2022 | 2008 | 2008 | https://legislatie.just.ro/Public/DetaliuDocument/90768 |
| MMAF. The National Forest Strategy 2030; Ministry of Environment, Waters and Forests: Bucharest, Romania, 2022 | | 2022 | http://www.mmediu.ro/categorii/strategia-nationala-a-padurilor-2022-2031/386 (a |
| Legea Nr. 407 din 9 noiembrie 2006: Legea vânătoriei și a protecției fondului cinegetic - Law 407/2006- Law on Hunting and wild animals protection | | 2006 | https://legislatie.just.ro/Public/DetaliuDocument/77053 |
| National Agency for Protected Natural Areas and amending Government Emergency Ordinance no. 57/2007 on the regime of protected natural areas, the conservation of natural habitats, flora and wildlife | | 2016 | https://www.global-regulation.com/translation/romania/3761168/law-no.-95-of-may-11%252c-2016.html |
| 011, Legea nr. 49/2011 pentru aprobarea O.U.G. nr. 57/2007 privind regimul ariilor naturale protejate, conservarea habitatelor naturale, a florei și faunei sălbatice, publicată în M.O.262/2011 [Law no. 49/2011 on approving the Government Ordinance no. 57/2007 on the regime of protected natural areas, conservation of natural habitats, wild flora and fauna, published in the Official Gazette no. 262/2011] | 2007 | 2022 | https://www.cdep.ro/pls/legis/legis_pck.http_act?ida=103051 |
| Romania's National Recovery and Resilience Plan (Plan approved in the EU Council (28 October 2021)) - Planul | 2021 | | https://gov.ro/ro/stiri/unda-verde-de-la-comisia-europeana-pentru-pnrr&page=1 |

VERTICAL FOREST RESTORATION POLICY COHERENCE

The Romanian Forest Code includes both explicit and implicit provisions on the protection and set-aside of forests. Article 26 explicitly mentions the creation of protected natural areas and the strict protection of virgin and quasi-virgin forests, while Article 27 discusses the establishment of protected natural areas of national interest and the application of management plans in such areas. Additionally, Article 29(5) prohibits clear cutting in national parks and nature reserves to protect forest biodiversity and allow natural development processes.

Implicitly, Article 5 refers to preventing the irreversible degradation of forests, suggesting an overarching principle that supports forest conservation, although it is not specifically focused on strict set-asides. Article 17(2)(b) includes obligations for ensuring the protection and integrity of the forest fund, which implies protective measures, though it does not explicitly call for setting areas aside for conservation. Article 33 mentions the use of the forest conservation and regeneration fund for protective functions, which could indirectly support set-asides, though it does not refer to strict conservation categories. Article 59 also implicitly supports this variable by requiring adherence to environmental protection regulations in protected natural areas when harvesting accidental products.

The Romanian Forest Code includes both implicit and explicit provisions related to uneven-aged and mixed-species forest management. Article 26 explicitly emphasizes the importance of sustainable management measures that promote natural regeneration of species, ensuring biodiversity conservation, which supports mixed-species management. Article 28 implicitly relates to this variable by requiring forest regeneration according to management plans and using the coppice regime to preserve the natural composition of forest stands, although native species like poplar, willow, and acacia are exceptions. Article 29 may indirectly support this variable, as it allows clear-cutting under specific circumstances, focusing on species which could be part of a mixed-species management regime. Article 30 further supports mixed-species and uneven-aged management by mandating reforestation and natural regeneration according to forest management plans,



ensuring the diversity of species. Article 33 also implicitly contributes to this objective by allocating the Forest Conservation and Regeneration Fund to support natural regeneration and the care of young crops, which helps maintain diverse age and species structures.

The Romanian Forest Code includes explicit provisions on deadwood management with the aim to preserve biodiversity in forests. Article 26(4)(c) explicitly mentions the preservation of deadwood both on the ground and standing, within ecological limits, as part of biodiversity conservation efforts. Article 33(3)(g) refers to performing tending and artificial pruning works, which could implicitly involve removing deadwood, though it does not specify retention. Article 59 addresses sanitary loggings, which are intended to remove unhealthy or dead trees, and outlines the order of priorities for handling infested and dead woody biomass, potentially including deadwood, though it rather applies a forest exploitation focus.

The provisions of the Romanian Forest Code related to deadwood management are predominantly addressed implicitly in several articles. Article 26 refers to forest biodiversity conservation, including the preservation of deadwood within necessary ecological limits, both on the ground and as standing trees. In Article 33, while deadwood is not directly mentioned, the forest conservation and regeneration fund is promoted for clearing and artificial pruning works, which may involve managing deadwood, representing an implicit reference. Article 55 discusses forest health control, and although deadwood is not explicitly mentioned, measures to prevent pests and forest disturbances could involve the removal of deadwood. Lastly, Article 59 outlines sanitary loggings which may include the removal of deadwood, thus offering another implicit reference to deadwood management.

The Romanian Forest Code permits clearcutting but restricts it to (key) tree species, such as Norway spruce, pines and larch, and sets a maximum clearcut size limit of 3 ha. It is also legally allowed for poplar plantations, with a maximum clearcut size limit of 5 ha. After two years of clearcutting there is a mandatory obligation under forest law to reforest the forest, with the clearcutting of neighboring parcels only permitted after the first parcel is fully regenerated. Management plans of Natura 2000 sites in forests (protected areas in line with EU Nature Directives) usually limit clearcut size to 1 ha. Natural regeneration and reforestation works must be completed within two years of the final (clear) cutting. If the forest owner fails to do so, the reforestation and maintenance to full regeneration are carried out at the owner's expense.

The provisions in Article 58, particularly in points (3), (4), and (5), implicitly relate to the management of forest fauna, including bird species that might include forest birds. The articles regulate the use of non-timber products such as fauna, which includes species of hunting interest, and emphasize the need for proper authorization for the hunting or purchasing of such fauna. While birds themselves are not explicitly mentioned as a separate focus in these provisions, the protection and regulation around fauna of hunting interest indirectly affect bird populations in forests.

KEY FINDINGS

Romanian forest legislation and policies are increasingly aligned with EU policies and national regulatory frameworks address a range of critical forest restoration indicators and practices. However, illegal logging activities in certain parts of the country continue to pose a significant threat to its unique virgin forests and their biodiversity, thereby posing a barrier to forest restoration efforts.

RECOMMENDATIONS

For the successful implementation and scaling of forest restoration, it is essential to leverage synergies across forest-related policy areas while addressing key trade-offs. This can be achieved by better aligning economic interests with nature conservation goals and strengthening law enforcement.

