

Ownership evolution and status, institutional frame

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Ministry of Environment, Waters and Forests

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Adapting Romanian forest sector regulatory frame to changing socio-economic conditions

1. Inform over the institutional and regulatory frame of Romanian forestry sector
2. Discuss the challenges of Romanian forest sector system and the envisaged solutions

Biodiversity conservation and forests in Romania

1. Offer information on biodiversity conservation value and status in Romania
2. Identify possible future development of forest biodiversity conservation

Enabling the socio-economic environment in forest utilisation in Romania

1. Describe the forest based sector in Romania along the specific supply chain
2. Identify legality/transparency/efficiency/social oriented synergy within the forest based sector



Agenda

11:00-11:20	<i>Ownership evolution and status, institutional frame</i> Mihai Enescu , adviser of the Secretary of State for Forests (Ministry of Environment, Waters and Forests)
11:20-11:40	<i>Regulatory frame</i> Laura Bouriaud , Professor (Faculty of Silviculture, Ștefan cel Mare University of Suceava) & Liviu Nichiforel , Associate Professor (Faculty of Silviculture, Ștefan cel Mare University of Suceava)
11:40-12:00	<i>Socio-economic dimensions of the private forests in Romania</i> Levente Porzsolt , Association of Forest and Pasture Owners and Administrators from East Transylvania
12:00-12:20	<i>Challenges and envisaged solutions</i> Sorin Sfîrlogea , Dialogue for Forests Group
12:20-13:00	<i>Discussions</i>



Ownership Evolution and Status



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Forest Ownership Changes

1948 – Nationalisation of forest land (100% state)

Forestland restitution laws in post-communist Romania

1991 – Law 18/1991

2000 – Law 1/2000

2005 – Law 247/2005



Forest Ownership Changes

1948 – 1990:

No institutional boundaries between the 4 functions:

- *Regulatory*
- *Control*
- *Administration/management*
- *Ownership*

All these functions performed by the Ministry of Forests and its territorial branches (county directorates and forest districts).



Forest Ownership Changes

Law 18/1991

- up to **1 ha** restituted to the **former individual owners**;
- **374,400 ha**, mainly border or isolated forests;
- **750,000** former owners;
- implementation 1991-1998.



Forest Ownership Changes

Law 1/2000

- up to **10 ha** restituted to the **former individual owners**;
- up to **30 ha** for **other ownership categories**;
- forests claimed by associations were entirely restituted („Composesorat”);
- implementation 2000-2005.



Forest Ownership Changes

Law 247/2005

- *Restitutio in integrum* (the law gives the restitution rights up to the surfaces owned before 1948)



Forest Ownership Structure

Ownership type	1948	1948-1991	1991-2000	2000-2005	2005-*
State	28 %	100 %	94 %	65 %	48 %
Non-state: - <i>Individuals</i>	23 %	-	6 %	12 %	18 %
- <i>Legal entities (towns, villages, communities, churches, companies etc.)</i>	49 %	-	-	23 %	34 %

Status (2019)

Public ownership

- 48.4% state
- 15.9% Administrative Territorial Units (Municipalities)

Private ownership

- 34.1% individuals + legal entities
- 1.6% Administrative Territorial Units (Municipalities)



Non-state ownership (31.12.2019)

Forms of ownership	Accepted tenure (ha)	Physically restituted (ha)	Pending restitution (ha)
Individuals	1.424.296	1.315.501	108.795
Administrative Territorial Units (Municipalities)	968.873	957.037	11.836
Educational units	7.634	7.285	349
Churches	127.538	122.946	4.592
Associative forms	769.651	752.963	15.688
Romanian Academy	16.762	16.500	262
Elias Foundation	3.146	2.006	1.140
TOTAL	3.317.900	3.176.238	141.662



Institutional frame



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Institutional settings of Romanian forest sector since 1948

Period	Public Authority in Charge with Forestry
Before nationalization (1948)	Ministry of Agriculture and Domains
1948–1949	Ministry of Silviculture (58 regional offices, 467 forest districts). Harvesting operations and hauling were coordinated by the Ministry of Industries
1950	Ministry of Silviculture and Wood Industry (28 regional subsidiaries one for each administrative unit, 330 forest districts, in charge with all forest works, including harvesting operations)
1951	Ministry of Silviculture (same regional branches, but harvesting and hauling went to another ministry)
1952	Same as above but the regional offices were reduced from 28 to 18
1953	Ministry of Agriculture and Forestry
1956	Ministry of Forestry (including harvesting operations)
1957	Ministry of Agriculture and Silviculture
1959	<i>Ministry of Forest Economy (silviculture, harvesting and wood industry)</i>
1969	Superior Council of Agriculture

Source: Drăgoi M., Toza V., 2019. Did Forestland Restitution Facilitate Institutional Amnesia? Some Evidence from Romanian Forest Policy. Land 8, 99, doi:10.3390/land8060099



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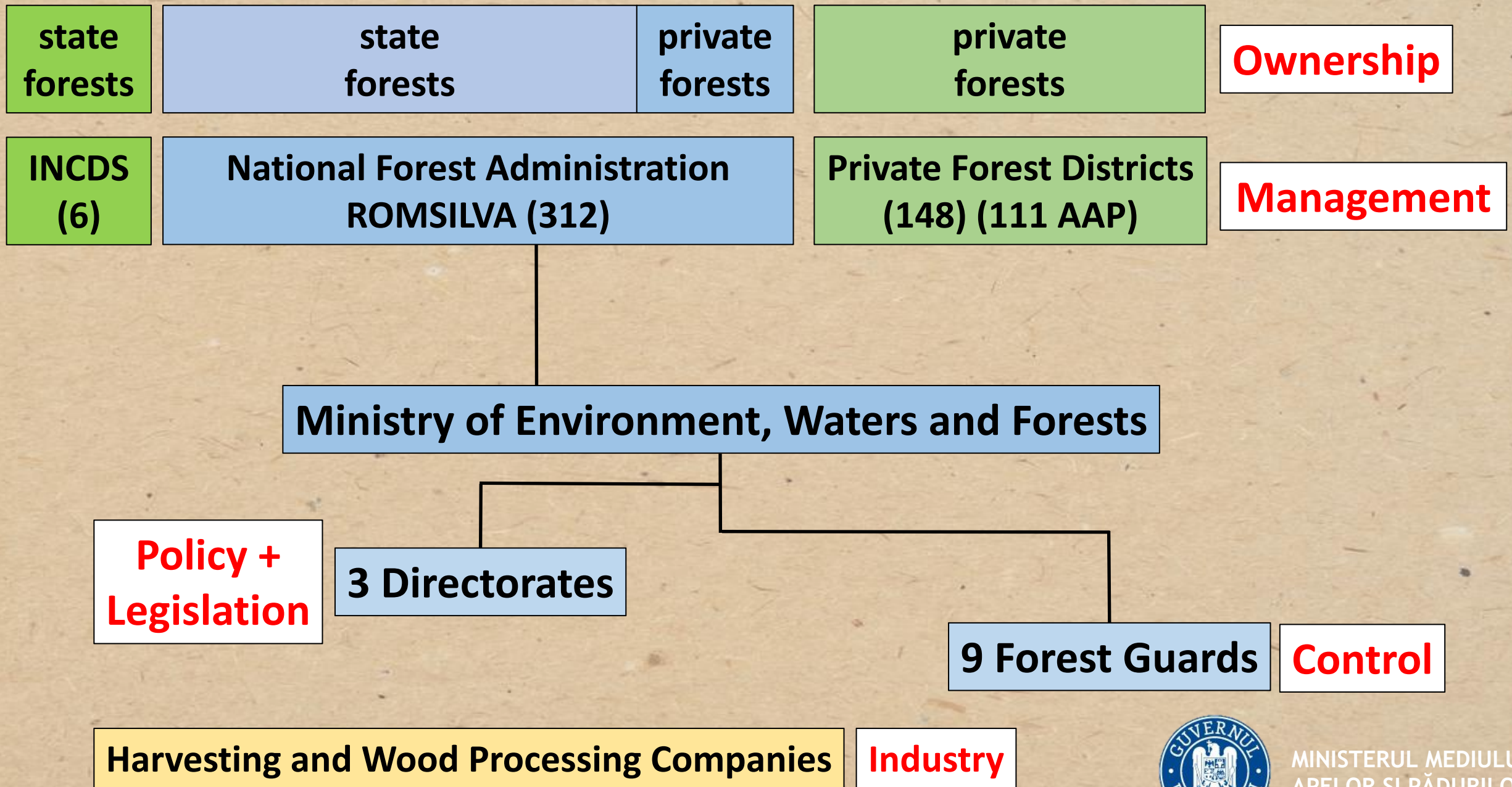
Institutional settings of Romanian forest sector since 1948

Period	Public Authority in Charge with Forestry
1972–1982	<i>Ministry of Forest Economy and Materials for Constructions</i>
1982–1989	Ministry of Silviculture (harvesting operations and wood processing were coordinated by the Ministry of Materials for Constructions)
1990–2000	<i>Ministry of Environment, Water and Forestry (harvesting operations coordinated by the Ministry of Economy)</i>
2001–2003	Ministry of Agriculture, Food Industry and Forests (represented across the country by 16 Territorial Inspectorates of Forest Regime and Game Management)
2004–2005	Ministry of Agriculture, Forests, Water and Environment—8 Territorial Directorates of Forest Regime and Hunting
2005–2009	Ministry of Agriculture, Forests and Rural Development (9 territorial Inspectorates for Forest Regime and Hunting)
2009–2014	Ministry of Environment, Water and Forests
2014–2015	Ministry of water and Forests (Ministry of Environment for biodiversity issues)
2016	Ministry of Environment and Climate change (Forest guards instead of forest inspectorates)
Since 2017	Ministry of Waters and Forests (Ministry of environment and climate change for biodiversity issues)

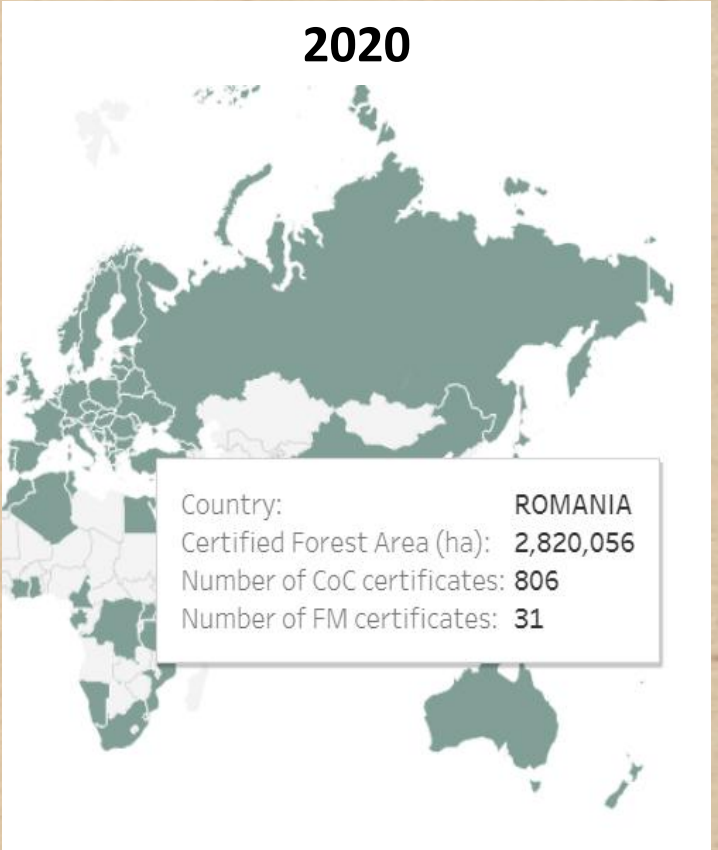
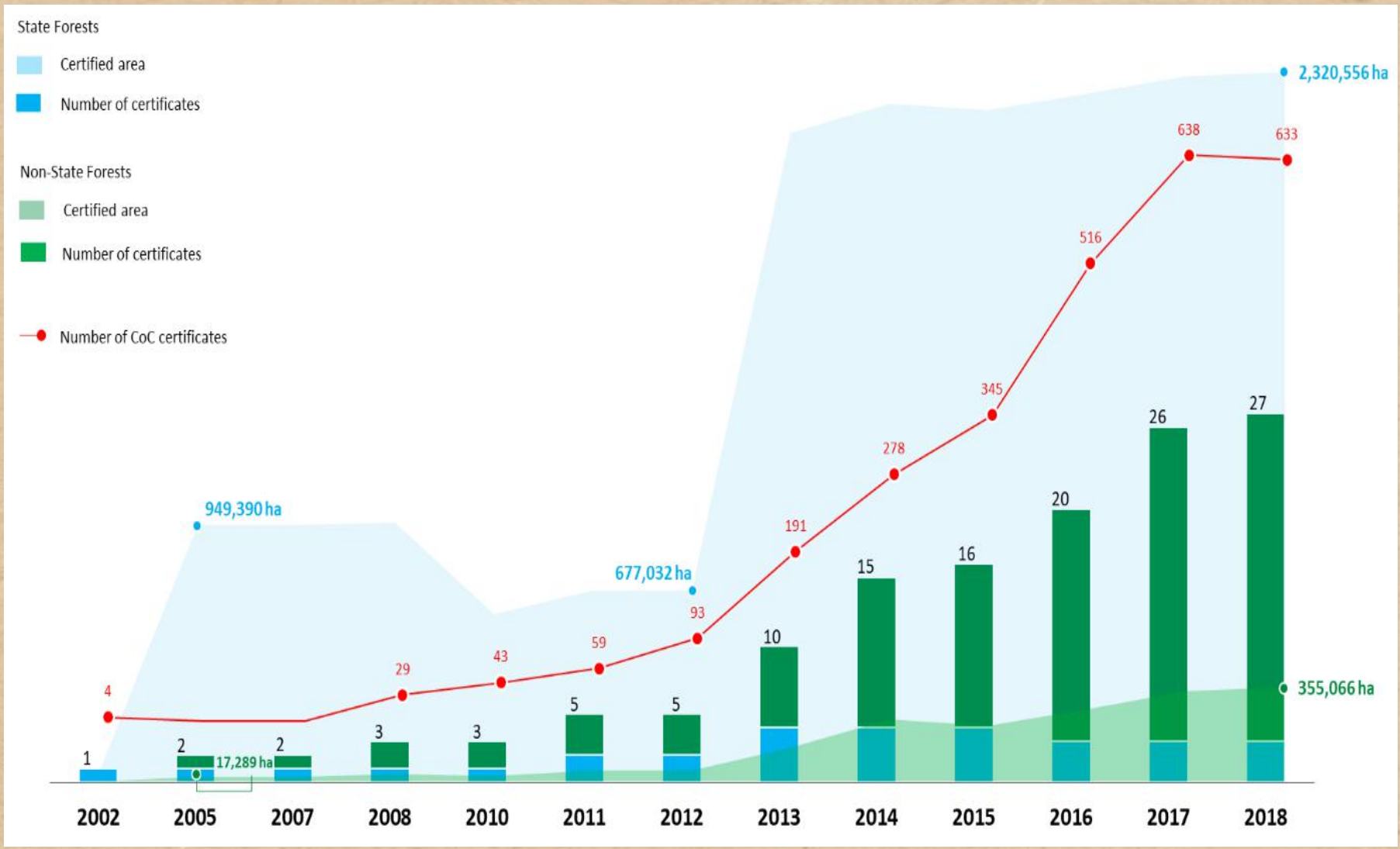
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FSC implementation in Romania



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Key messages

- broad consultative process
- forest ownership changes => focus on the property
- a new vision and a new forest strategy are needed
- simplified legal and institutional frameworks



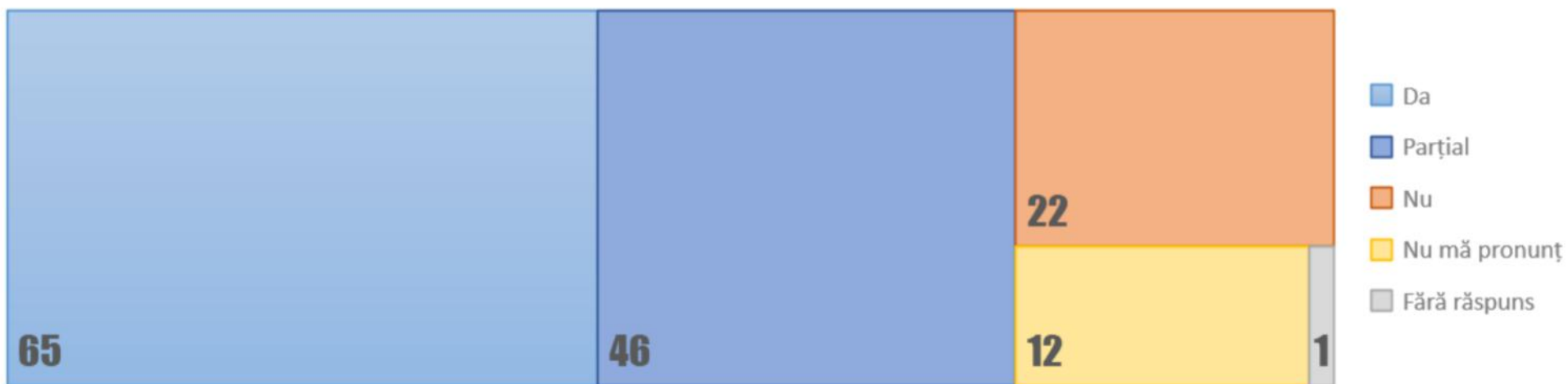
Ownership right

5. Principiul 2 – respect pentru proprietate

5.1. Propunerea de principiu

Principiul respectului față de proprietate: Stabilirea și implementarea instrumentelor de politică forestieră urmăresc consolidarea manifestării dreptului de proprietate.

5.2. Sunteți de acord cu formularea acestui principiu?



https://optiuni.strategieforestiera.ro/lib/exe/fetch.php?media=process:phase01:d01_rezultate_generale_principii.pdf

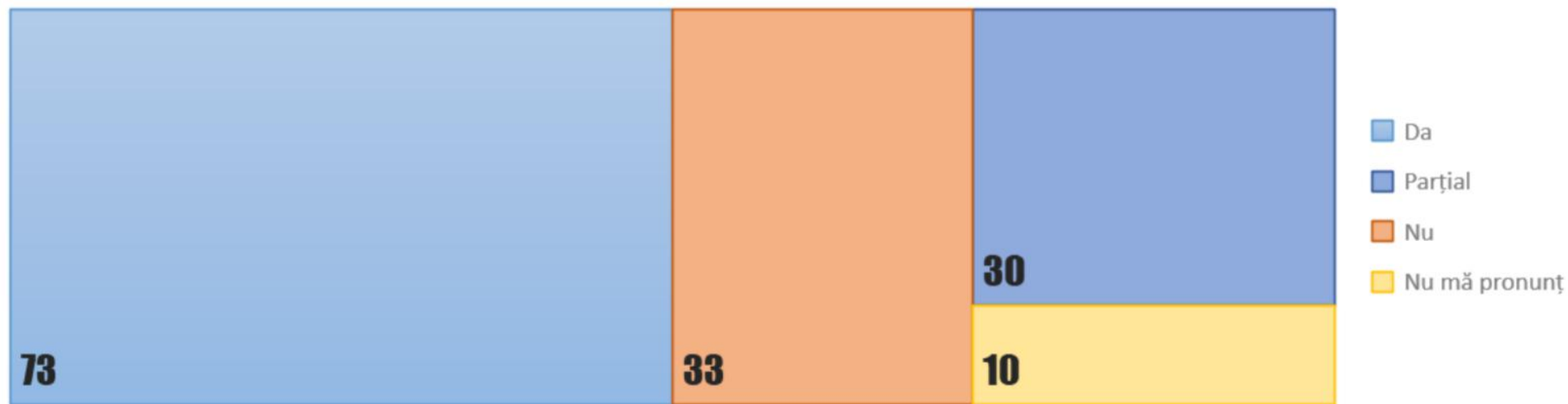


Legislative frame

4.1. Propunerea de principiu

Principiul coerenței legislative: cadrul de reglementare a sectorului forestier este simplu, armonizat, predictibil și eficient și permite o evaluare permanentă a eficacității implementării

4.2. Sunteți de acord cu formularea acestui principiu?



https://optiuni.strategieforestiera.ro/lib/exe/fetch.php?media=process:phase01:d01_rezultate_generale_principii.pdf





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Opțiuni strategice pentru dezvoltarea politicii forestiere
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Thank you for your attention!
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